

**BEFORE THE
U.S. CONSUMER PRODUCT SAFETY COMMISSION**

**PETITION REQUESTING THAT ASTM F400-00, SAFETY STANDARD
FOR LIGHTERS, BE ADOPTED
AS A CONSUMER PRODUCT SAFETY STANDARD
UNDER SECTIONS 7 AND 9
OF THE CONSUMER PRODUCT SAFETY ACT**

**PETITION OF
LIGHTER ASSOCIATION, INC.**

VOLUME II

November 27, 2001

**David H. Baker
Barbara E. Parisi
General Counsel
Lighter Association, Inc.
1920 N Street, N.W.
Washington, D.C. 20036-1601
(202) 973-2709**

1. TASK NUMBER 000301CCC0450		2. INVESTIGATOR'S ID 8995		EPIDEMIOLOGIC INVESTIGATION REPORT
3. OFFICE CODE 800	4. DATE OF ACCIDENT YR MO DAY 99 12 26	5. DATE INITIATED YR MO DAY 00 04 17		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT UPC Unknown Consumer purchased a novelty lighter shaped like a cell phone. Three days after it was purchased, it started making a "popping" sound and the butane was leaking out. Consumer discarded the lighter.				
7. LOCATION (Home, School, etc.) Apartment 1		8. CITY Syracuse		9. STATE NY
10A. FIRST PRODUCT Novelty Lighter 1604		10B. TRADE/BRAND NAME Unknown		10C. MODEL NUMBER Unknown
10D. MANUFACTURER NAME AND ADDRESS Unknown				
11A. SECOND PRODUCT Table 4057		11B. TRADE/BRAND NAME		11C. MODEL NUMBER
11D. MANUFACTURER NAME AND ADDRESS				
12. AGE OF VICTIM 000	13. SEX 1 Male	14. DISPOSITION No injury 0	15. INJURY DIAGNOSIS No injury 70	
16. BODY PART (S) INVOLVED No injury 99	17. RESPONDENT Complainant 1	18. TYPE OF INVESTIGATION On-site 1	19. TIME SPENT (OPERATIONAL HOURS) 5	
20. ATTACHMENT(S) Other 5	21. CASE SOURCE Consumer Complaint 07		22. SAMPLE COLLECTION NUMBER N/A	
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) Yes				
24. REVIEW DATE	25. REVIEWED BY		26. REGIONAL OFFICE DIRECTOR	
27. DISTRIBUTION O: EPDS CC: H99C0337A, NEISS, JACK KRAMER-FPE				

PRE-INCIDENT

This investigation was initiated as a result of a consumer complaint through the CPSC hotline regarding a faulty novelty lighter. No injury was sustained as a result of this incident. All information contained in this report was obtained through an interview of complainant and her husband. The involved novelty lighter was discarded by complainant prior to this investigation.

This incident occurred in a four unit, wood frame two story apartment building. Complainant and her husband rented an apartment on the second story. Complainant purchased the involved lighter for her husband. Both husband and wife smoked. Complainant's husband was blind.

The novelty lighter, which was shaped like a cell phone, was purchased on 23 Dec 99 by complainant at a local convenience store for \$10.00. Complainant advised that when the push button on the lighter was depressed, it would make the sound of a telephone ringing and a red light would light. Also, the butane fueled flame would ignite. The lighter had a button battery.

INCIDENT

On 26 Dec 99, complainant's husband placed the lighter on a table and it began to make a "popping" sound. This sound continued on and off for more than an hour.

POST-INCIDENT

Complainant examined the lighter and its clear plastic case appeared to be cracked. She then placed the lighter in a zip-lock plastic bag and put it outside in the snow on the terrace. Complainant felt the lighter was a potential fire hazard. No further incident with the lighter was encountered by complainant.

Complainant went to the convenience store from which she purchased the lighter in order to obtain some information regarding the lighter. The store owner refused to give her any information.

On 29 Dec 99, complainant called the local police. The police met her at the convenience store. Complainant showed the police officer the lighter. The store owner refused to give the police officer any information regarding the lighter.

Complainant discarded the novelty lighter in March 2000. She believed all of the butane had leaked out of it. During the on-site investigation, retail surveillance was conducted at the place of purchase and no similar lighters were offered for sale.

PRODUCT IDENTIFICATION

The involved novelty lighter was shaped in the form of a cell phone. It had a clear plastic body. Complainant advised it had no child resistant feature. Complainant advised it had no labeling to identify the manufacturer. At the time of the on-site investigation, complainant had discarded the lighter and it was not available for examination or sampling.

ATTACHMENT

1. Authorization for Release of Name, dated 4-17-00

ATTACHMENT-1
000301CCC0450

U. S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.



You are hereby authorized to disclose my name and address with the information collected on this case.



My identity is to remain confidential.

Rob. L. White
(Signature)

4/17/00
(Date)

Case No. 970115CCN0276

Office: 830

Invest: 8185

Attach. No. 2

Page 1 of 21

U.S. Consumer Product Safety

SAMPLE COLLECTION REPORT

1. Sample Flag IDI CASE NO 970115CCN0276		2. Date Collected 2/19/97		3. Sample Type and Number: 97-830-3763 <input checked="" type="radio"/> Physical <input type="radio"/> Documentary	
4a. Product Name USED CIGARETTE LIGHTER		4b Model DISPOSABLE		4c NEISS 1604	
5. Assignment Number		7. MIS 33758		8. Hours Activity _____ Travel _____	
6. Complete for Import Samples Port of Entry: _____ Country of Origin: _____ Entry No. and Date: _____ Customs Contact: _____		9a Home RO FOWR		9b Collecting RO FOCR	
10. Sample Cost \$0.00		11. Invoice Value of Lot \$1.00		12. Size of Lot 1	
13. Manufacturer/Importer # UNK010 *PATENT INFORMATION FROM "DEALER" - IMPORTER MAY BE A CALIFORNIA FIRM.		14. Shipper/Foreign Manufacturer UNKNOWN		15. Dealer/Import Broker # [REDACTED] KANSAS CITY, MO 64127	
16. Supporting documents attached: Invoice No. and Date: NONE AVAILABLE Date Shipped: _____ Shipping Record and Date: NONE AVAILABLE Affidavit Signer's name, title and date: COLLECTED DURING INVESTIGATION					
17. Product Identification: THE SAMPLED CONSUMER PRODUCT IS ONE (1) USED DISPOSABLE BUTANE CIGARETTE LIGHTER. ATTACHED ADHESIVE LABEL HAS BEEN REMOVED. PRINTED ON THE LIGHTER'S FLAME SHIELD, [REDACTED] PRINTED ON BOTTOM					
18. Reason for collection/analysis needed: FHSA <input checked="" type="radio"/> CPSC <input checked="" type="radio"/> FFA <input type="radio"/> PPIA <input type="radio"/> RSA COLLECTED PER ASSIGNMENT IDI CASE NO. 970115CCN0276					
19. Summary of Field Screening: N/A					
20. Sample size/Method of Collection: THE SAMPLED USED DISPOSABLE CIGARETTE LIGHTER WAS COLLECTED, WITH HER PERMISSION, FROM THE "DEALER" PREVIOUSLY IDENTIFIED. THE COLLECTED LIGHTER WAS CPSC IDENTIFIED/SEALED, PREPARED FOR SHIPMENT AND SHIPPED					
21. Identification on sample: 97-830-3763 HES 2/19/97		22. Identification on seal and date: 97-830-3763 Harold E. Snyder 2/19/97			
23a. Sample delivered to: FEDERAL EXPRESS-KC.		23b Date 2/20/97		24. Report/Record Sent to: FOWR	
25. Laboratory/Office: LSHL _____ LSEL _____ CRM _____ CCA <input checked="" type="checkbox"/> Other _____					
26. Remarks: SAMPLE HELD OVERNIGHT, UNDER OFFICIAL SEAL, UNTIL SHIPPED. ATTACHMENTS: A. COPY OF ASSIGNMENT B. COPY OF "DEALER'S" HOTLINE INCIDENT REPORT R9710129A					
27. Related Samples: NONE					
28a Collector's name/title: Harold E. Snyder Senior Resident Investigator			28b Collector's signature/date: <i>Harold E. Snyder</i> , 2/19/97		
29a Reviewer's name/title:			29b Reviewer's signature/date:		

PRODUCT IDENTIFICATION

OF FUEL COMPARTMENT, "L 6"

Case No. 970115CCN0176

Office: 830 Invest: 8185

Attach. No. 2 (Page 2 of 2)

METHOD OF COLLECTION

TO THE DIVISION OF CORRECTIVE ACTIONS, (I.E. VIA SAMPLE CUSTODIAN).

REMARKS

C. SAMPLE RECEIPT DATED 2/19/97 SIGNED BY "DEALER"

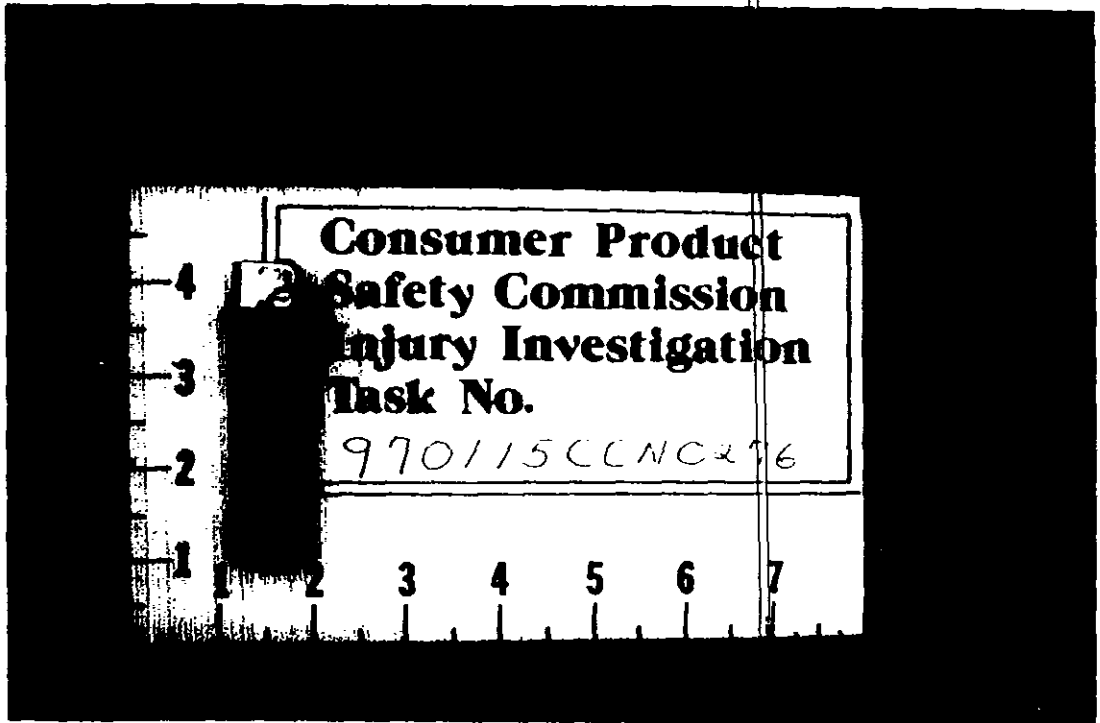
Case No. 970115CCN0276

Office: 830 Invest: 8185

Attach. No. 3 (Page 1 of 8)

CPSC Investigator Photo No. 1

Shows disposable butane cigarette lighter
complainant identified as involved in her
incident.



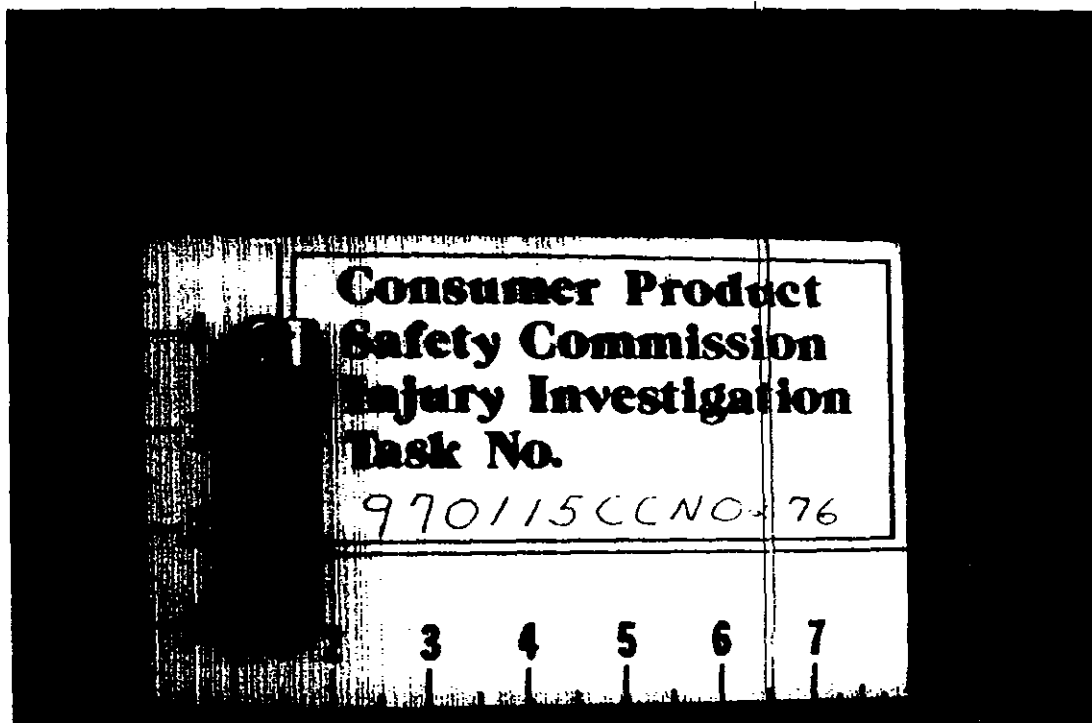
Case No. 970115CCN0776

Office: 830 Invest: 8185

Attach. No. 3 (Page 2 of 8)

CPSC Investigator Photo No. 7

Second view showing butane cigarette lighter
complainant identified as involved in her
incident.



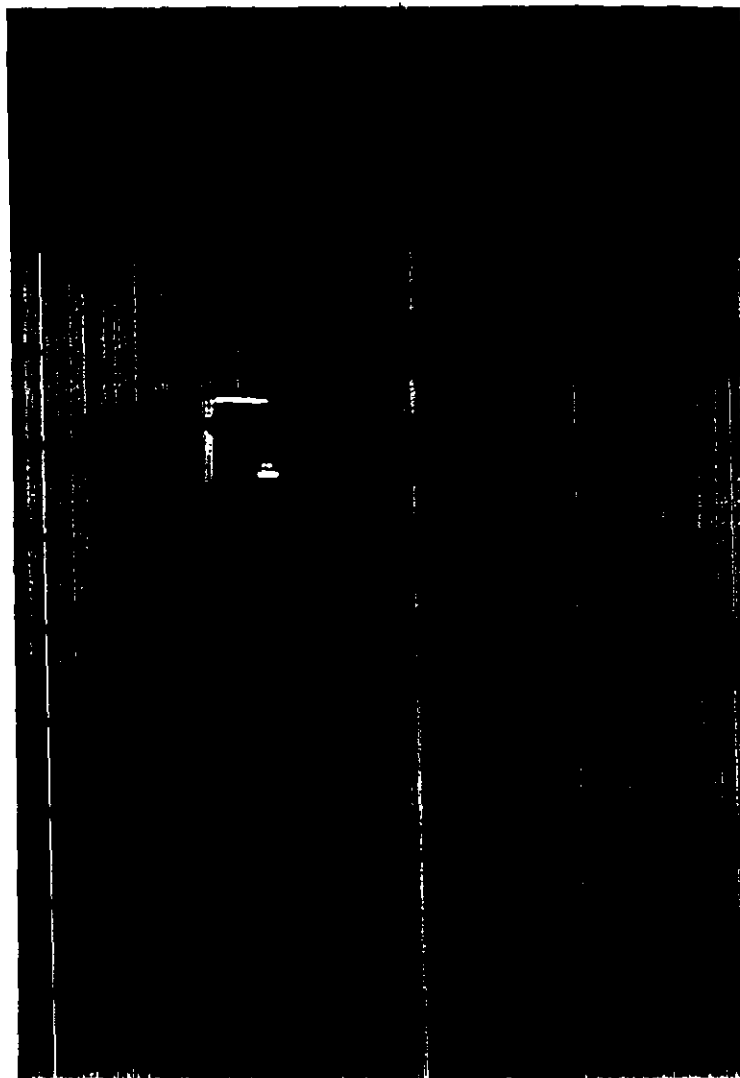
Case No. 970115CCN0270

Office: 830 Invest: 8185

Attach. No. 3 (Page 3 of 8)

CPSC Investigator Photo No. 3

Close-up showing butane cigarette lighter
complainant identified as involved in her
incident.

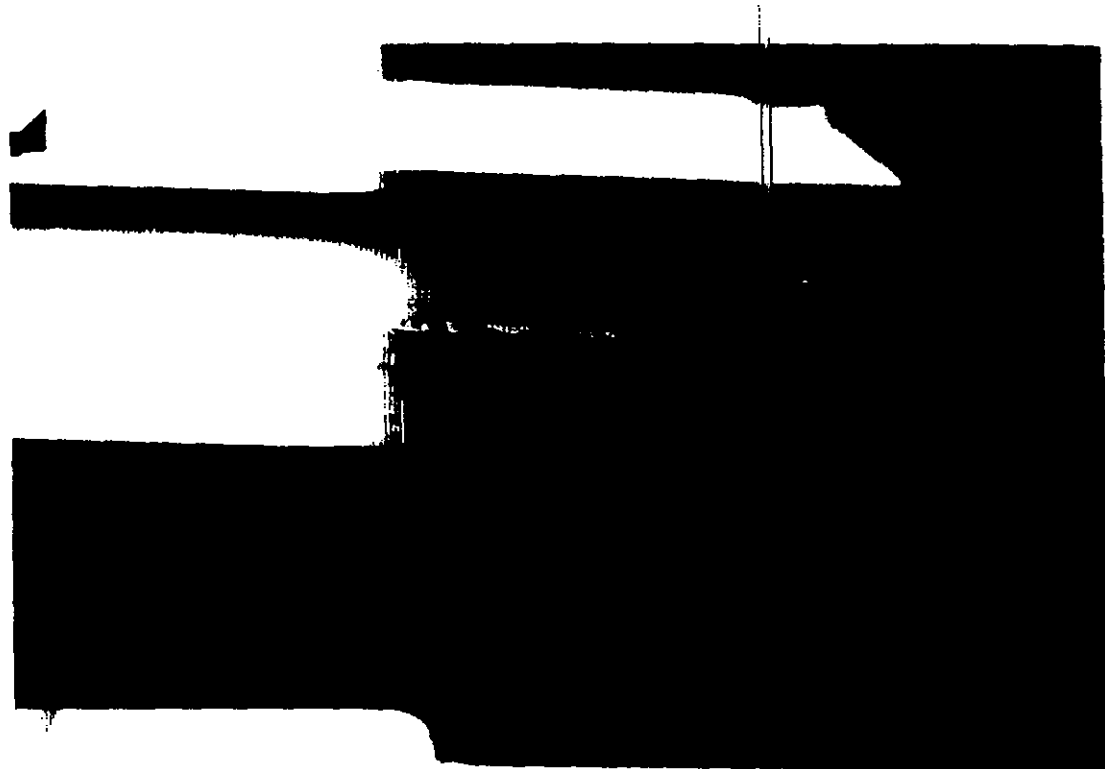


Case No. 970115CCN0276
Office: 830 Invest: 8185
Attach. No. 3 (Page 4 of 8)

CPSC Investigator Photo No. 4

Simulation showing position of complainant's
butane cigarette lighter on a wood dresser
when the incident occurred, (i.e. lighter
flame allegedly did not extinguish).

This simulation is based on information
provided by the complainant.



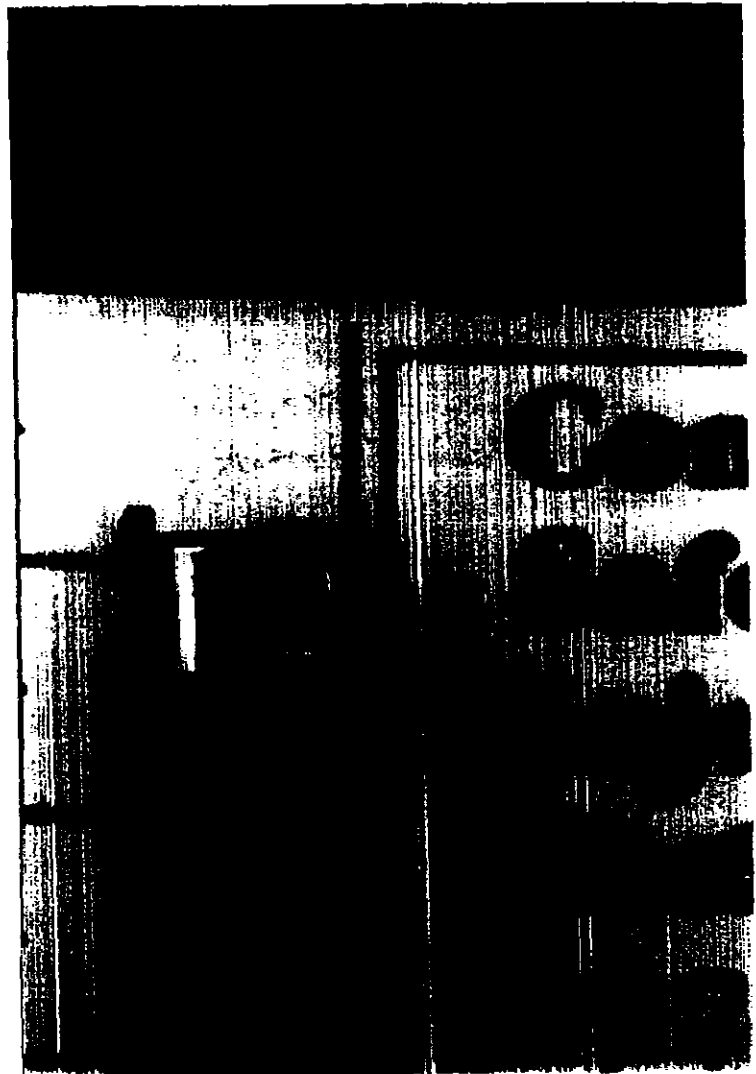
Case No. 970115CCN0276

Office: 830 Invest: 8185

Attach. No. 3 (Page 5 of 8)

CPSC Investigator Photo No. 5

Close-up showing one side of windshield of the complainant's incident disposable butane cigarette lighter.



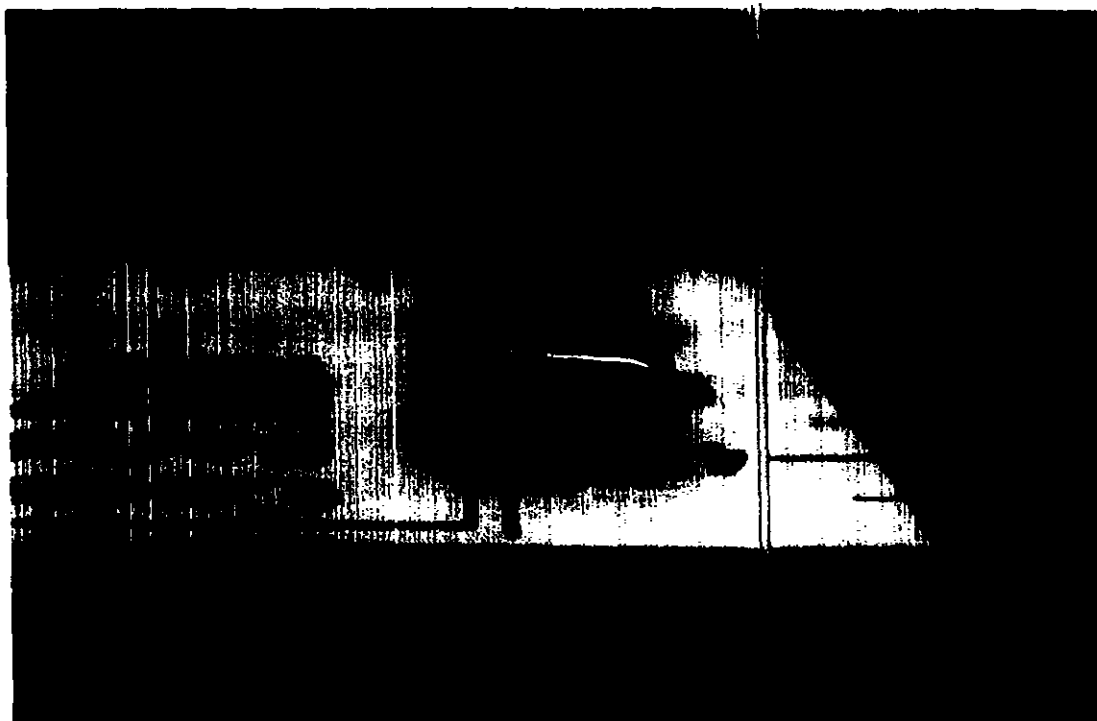
Case No. 970115CCN0276

Office: 832 Invest: 8185

Attach. No. 3 (Page 7 of 8)

CPSC Investigator Photo No. 7

Close-up showing lighting mechanism of
complainant's incident disposable butane
cigarette lighter.



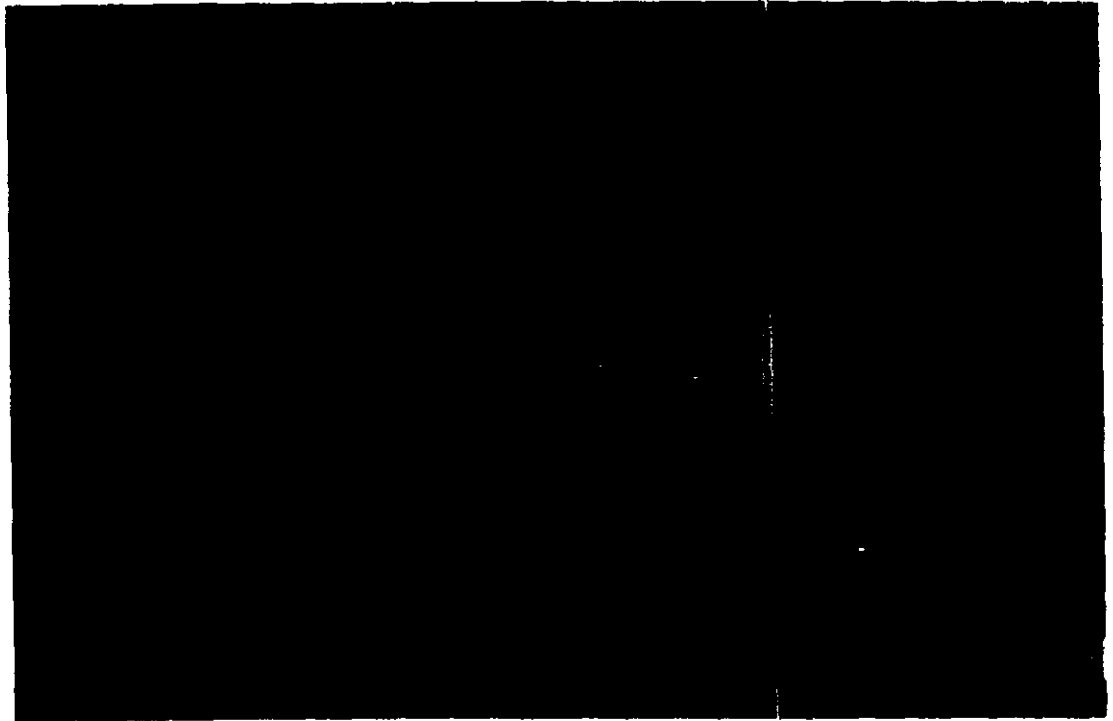
Case No. 970115CCN0276

Office: 830 Invest: 8185

Attach. No. 3 (Page 8 of 8)

CPSC Investigator Photo No. 8

Second close-up view showing lighting
mechanism on complainant's incident disposable
butane cigarette lighter



Case No. 970115CCJ0276
Office: 830 Invest: 8185
Attach. No. 4

NFS

IDI ASSIGNMENT TRACKING SHEET 481

1. ASSIGNMENT # 970115CCJ0276 2. INVEST. 8185 3. SUP. POO
4. DATE ASGD 1/22/97 5. TARGET 2/21/97 6. UPDATE _____
7. ASGN TYPE 08 8. MIS 34626 9. ACTIVITIES _____
10. NAME Hart 11. LOCATION Kansas City, MO 64127
12. PRODUCT disposable lighter 13. DOC # N9710129A
14. HIA REF SECTOR 15. STATUS _____ 16. LAST REV (GENERATED)
17. REGION C
18. DATE COMPLETED 2/19 & 20/97 19. TIME 10 Hrs. 20 TRAVEL 2 Hrs.
21. REMARKS DOI 970110

ADDITIONAL REMARKS AND DIRECTIONS (NOT IN COMPUTER RECORD):

Contact promptly to ensure availability of
offending lighter. If available conduct
onsite. Collect offending lighter for cen-
suration. Photograph lighter in area
where incident occurred. Get info
if use & detail any previous problems
with the lighter. If lighter
no longer available then conduct by
phone. File at dealer if needed
to pin down product ident.

21 JAN 1997

1. CASE NO. 971219CCN0099		2. INVESTIGATOR'S ID [8][6][0][8]		3. OFFICE CODE [8][3][0]		EPIDEMIOLOGIC INVESTIGATION REPORT	
4. DATE OF INCIDENT YR MO DAY [9][7][1][2][1][4]		5. DATE INVESTIGATION YR MO DAY INITIATED [9][7][1][2][3][0]					
6. SYNOPSIS OF INCIDENT OR COMPLAINT. Complainant was sitting in the living room of her mobile home when she heard something fall in the kitchen. She went into the kitchen and discovered a disposable lighter on fire on a kitchen counter. She smothered the lighter with a towel and put the fire out. No injuries occurred. Her counter top and the bottom of a cupboard were charred.							
7. LOCATION (Home, school, etc.) Home [1][0]		8. CITY Tiffin		9. STATE OHIO			
10A. FIRST PRODUCT [1][6][0][4] Lighter		11A. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS [REDACTED]					
10B. SECOND PRODUCT [0][0][0][0] None		11B. TRADE/BRAND NAME, MODEL NUMBER, MANUFACTURER & ADDRESS N/A					
12. AGE OF VICTIM [9][9][9]		13. SEX (USE NUMERICAL CODE) MALE - 1 FEMALE - 2 [9] UNKNOWN - 3		14. DISPOSITION No injury. [0]		15. INJURY DIAGNOSIS No injury. [7][1]	
16. BODY PART No injury. [9][9]		17. RESPONDENT(S) (Mother, Friend) Complainant (Fire Dept.) [1]		18. TYPE INVESTIGATION ON SITE - 1 TELEPHONE - 2 [3] OTHER - 3		19. TIME SPENT Hours [0][3].[0] Travel [0][4]	
20. ATTACHMENTS [9] Multiple		21. CASE SOURCE [0][1] Fire Dept.		2. REVIEWED BY YR MO DAY [8][1][3][0] [9][8][0][1][2][0]			
23. PERMISSION TO DISCLOSE NAMES (IN NON NEISS CASES ONLY) CPSC MAY DISCLOSE MY NAME [] CPSC MAY NOT DISCLOSE MY NAME [X]							
24. NARRATIVE (See Instructions on Page 2)				25. REGIONAL OFFICE DIRECTOR REVIEW DATE			

PRE-INCIDENT

The complainant lives in a mobile home with her husband and children. On December 14, 1997 she was sitting in the living room of the mobile home. The living room and the kitchen run together in the home and she was sitting with her back to the kitchen area. It was about 11:00p.m. and she would have normally been in bed, but her husband had to work a second shift that day and she was waiting up for him. While sitting in the living room she heard a noise in the kitchen as if something fell on the floor. She has magnets on her refrigerator that are always falling on the floor and that's what she thought she heard.

INCIDENT

For some reason she got up to see what fell in the kitchen. As she entered the kitchen area she saw a disposable lighter on fire on a counter top.

971219CCN0099

1 JAN 1998

she put a towel over the lighter and put the fire out.

POST-INCIDENT

The complainant collected the remaining parts of the lighter and called the manufacturer, [REDACTED]. She spoke with a [REDACTED], Claims Examiner. [REDACTED] asked the complainant to get two estimates on damage to her counter top and cupboard and send them, along with the lighter remains, to [REDACTED]. She intends to do this.

The complainant reports that the lighter was about three weeks old and she estimates that it was about half full when the incident occurred. She had used the lighter about fifteen minutes prior to the incident occurring.

This incident was reported by the Tiffin Fire Department. Pictures of the lighter remains taken by the fire department are attached to this report as Exhibit #1. Attached to this report as Exhibit #2 is a fire department memo regarding the incident.

EXHIBITS

1. Fire Department Photos. (Sent under separate cover in mail.)
2. Fire Department Memo.
3. Complaint/Assignment.

Memorandum

Chicago

To: SIA
From: E. J. Connel
Date: 11-14-87
Subject: Chicago, Illinois

312-353-8260

Comm. Product

Safety

Eric Auld

A call was received from Mr. Toland the resident at 512 E. 11th Street, Chicago, phone # described.

She reported a ligator had difficulties for her.

I went to the apartment and spoke to the occupant and she showed me a ligator and some other items. I looked at the pictures and saw a kitchen cupboard. The child is somewhere around 11:00 PM. (unintelligible) 1987. I saw a picture of a child in bed and her husband had a wife of 10 years and she thought she would show up and that was his.

she said she heard a noise, saw something and went into to look at the ligator and saw a picture of her.

I brought the pictures to the station and several pictures of it. I took a picture of the ligator and a picture of the occupant and on the bottom were some pictures of a child. There were some pictures of a child and some pictures of a child. The [redacted] has a [redacted] address in this ligator.

The occupant said she had a picture of the ligator and they told her to take a picture of the occupant and take the picture and take it up and send them to their office and that they would return her. (unintelligible)

I told her to take the pictures to the station and that she should report that information. The occupant is still in possession of the ligator at this time.

Edward J. Connel
SIA and J. Connel II, Sup. CH. 1

3:00 pm
Spoke to Toland

IDI 971219CCN0099

EXHIBIT #2

CONSUMER PRODUCT INCIDENT REPORT

1. NAME OF RESPONDENT [REDACTED]		2. TELEPHONE NO. (Home) (Work) [REDACTED]	
3. STREET ADDRESS [REDACTED]		4. CITY STATE ZIP CODE Tiffin, Ohio 44883	
5. DESCRIBE ACCIDENT SITUATION OR HAZARD, INCLUDING DATA ON INJURIES. (Use second page if necessary) The respondent is with the Tiffin Fire Department. He reported a fire involving a disposable cigarette lighter. The lighter was sitting on the consumer's kitchen cupboard when it suddenly exploded into flames. The fire damage was limited to the cupboard. The consumer has contacted [REDACTED] who asked the consumer to return the remains of the lighter to them. The fire department currently has the remains and has taken pictures of them.			
6. DATE OF INCIDENT(S) 12/14/97	7. IF INJURY OR NEAR MISS, OBTAIN AGE () SEX () AND DESCRIBE INJURY		8. IF VICTIM DIFFERENT FROM RESPONDENT, PROVIDE NAME RELATIONSHIP
9. DESCRIPTION OF PRODUCT Disposable Cigarette Lighter		10. BRAND NAME [REDACTED]	
11. MANUFACTURER/DISTRIBUTOR NAME, ADDRESS & PHONE [REDACTED]		12. MODEL, SERIAL NO.'S	
		13. DEALER'S NAME, ADDRESS, & PHONE	
14. WAS THE PRODUCT DAMAGED, REPAIRED OR MODIFIED? YES () NO (x) IF YES, BEFORE OR AFTER THE INCIDENT? DESCRIBE:		15. PRODUCT PURCHASED NEW () USED () DATE PURCHASED () AGE ()	
		16. DOES PRODUCT HAVE WARNING LABELS? IF SO, NOTE:	
17. HAVE YOU CONTACTED THE MANUFACTURER? YES (x) NO () IF NOT, DO YOU PLAN TO CONTACT THEM? YES () NO () OTHER		18. IS THE PRODUCT STILL AVAILABLE? YES (x) NO () IF NOT, ITS DISPOSITION	
		19. MAY WE USE YOUR NAME WITH THIS REPORT? YES () NO (x)	
FOR ADMINISTRATION USE			
20. DATE RECEIVED 12-18-97	21. RECEIVED BY (Name & Office) JRV/FOCR		22. DOCUMENT NO. 697 C 0286A
23. FOLLOW-UP ACTION [REDACTED] 971219CCN0099		24. PRODUCT CODE(S) 1604	
25. DISTRIBUTION [REDACTED]		26. ENDORSER'S NAME & TITLE [REDACTED]	

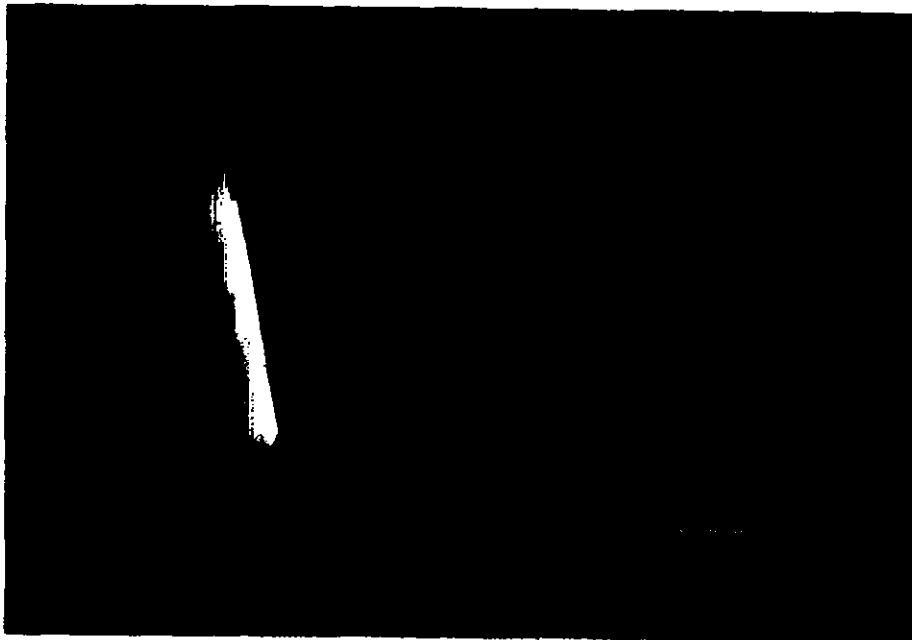
CPSC FORM 175 (Rev. 5/83) (Adapted for WP Windows 6/93) (HP Laserjet III 10/93)

EXHIBIT #3

Exhibit #1

IDI971219CCN0099

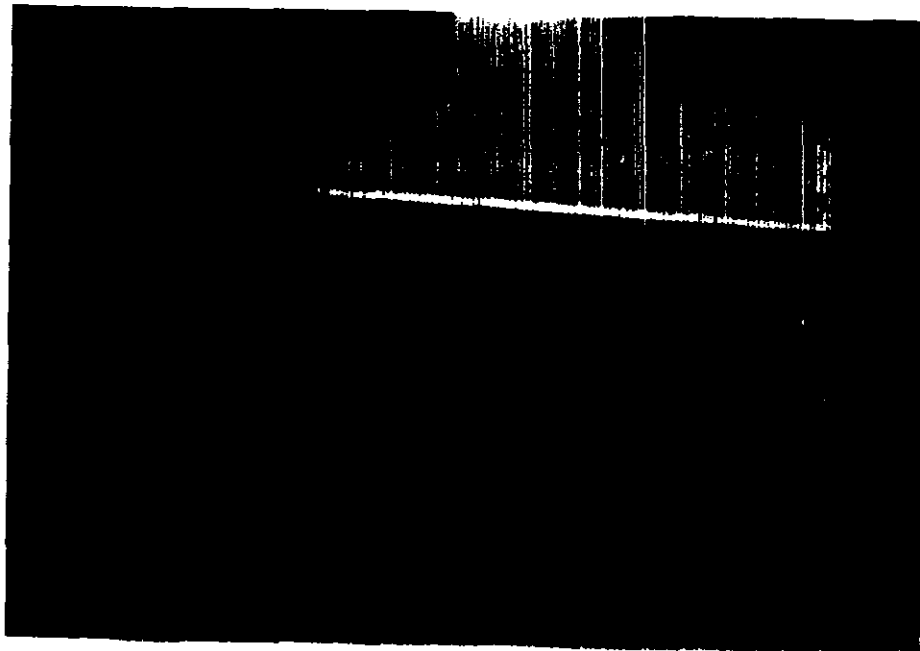
27 JAN 1998



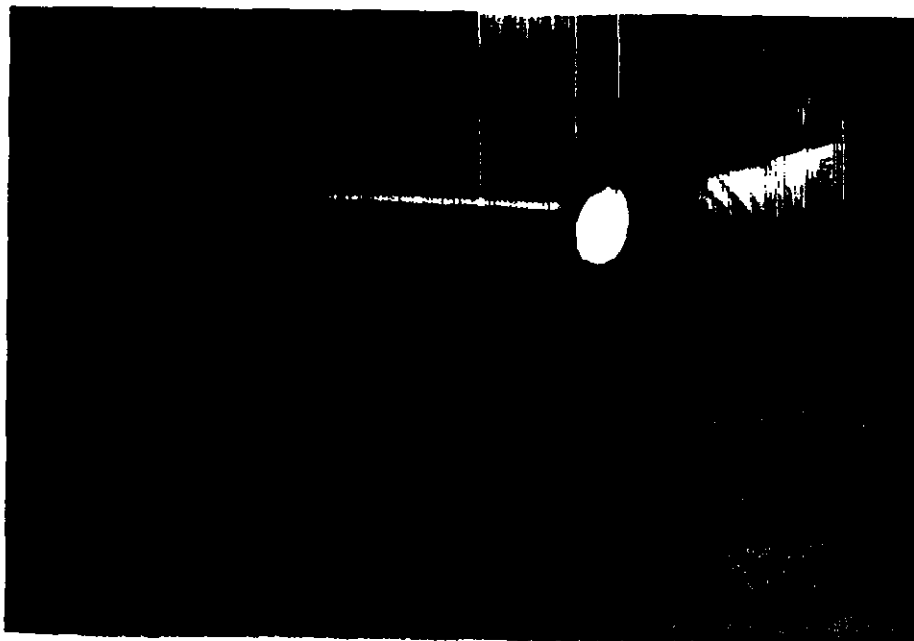
Fire department photos show remains
of lighter.



IDI971219CCN0099



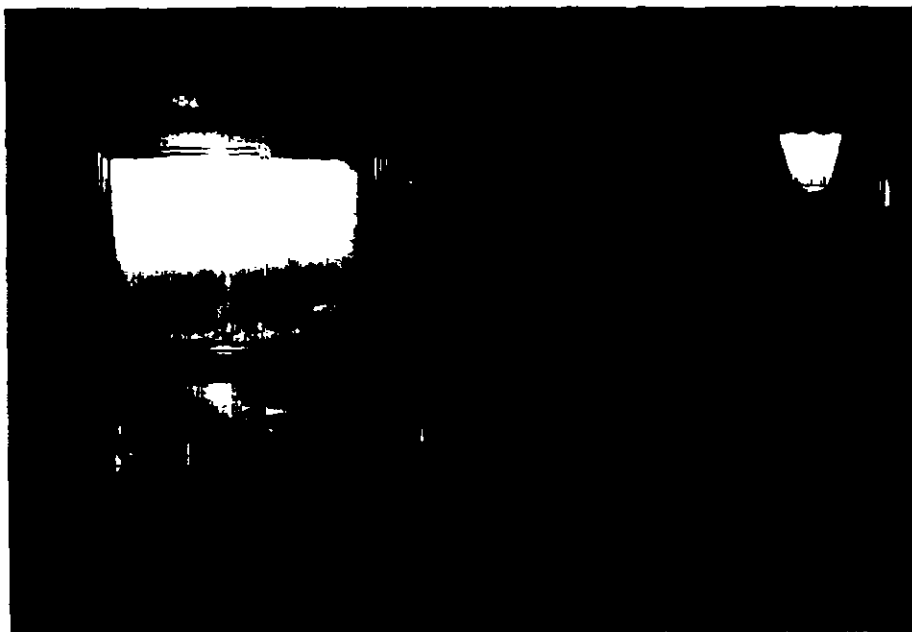
Fire department photos show remains
of lighter.



IDI971219CCN0099



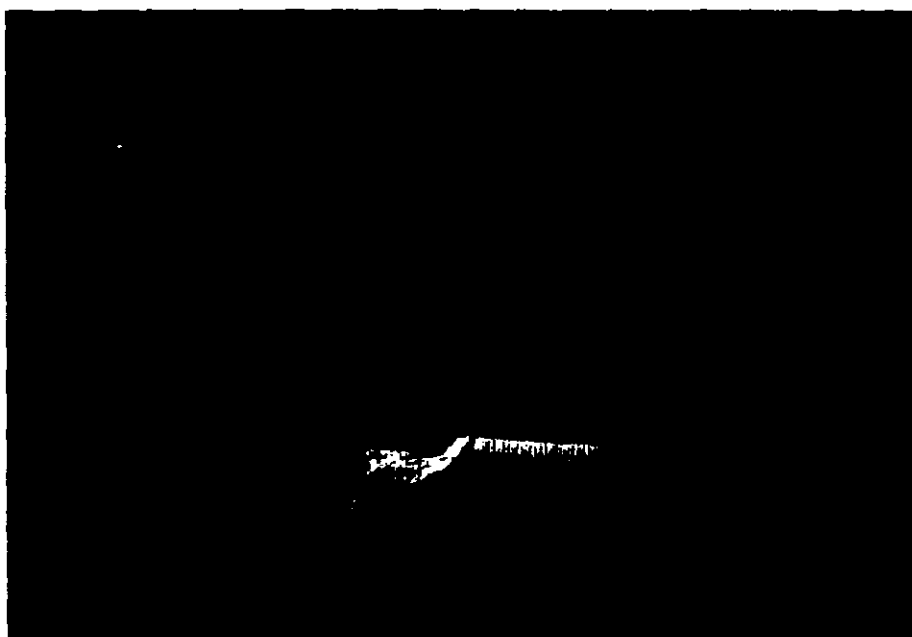
Fire department photos of counter top that lighter was sitting on when it burst into flames. Flames were high enough to scorch cupboard next to microwave in bottom photo.



IDI971219CCN0099



Fire department photos show remains
of lighter.



1. TASK NUMBER 000607HCN0279		2. INVESTIGATOR'S ID 9057		EPIDEMIOLOGIC INVESTIGATION REPORT
3. OFFICE CODE 830	4. DATE OF ACCIDENT YR MO DAY 00/05/17	5. DATE INITIATED YR MO DAY 00/06/07		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT UPC 7 55998 00032 6 A consumer received a free butane, disposable lighter after purchasing a carton of cigarettes at a local tobacco shop. The lighter was stored in a cigarette type pouch in the consumer's purse. When the consumer reached in her purse, she heard a loud "pop" and observed that the lighter had exploded. No injuries were sustained.				
7. LOCATION (Home, School, etc.) Home [1]		8. CITY Dearborn Heights		9. STATE MI
10A. FIRST PRODUCT Cigarette lighter [1][6][0][4]		10B. TRADE/BRAND NAME Unknown		10C. MODEL NUMBER Unknown
10D. MANUFACTURER NAME AND ADDRESS Unknown				
11A. SECOND PRODUCT N/A		11B. TRADE/BRAND NAME N/A		11C. MODEL NUMBER N/A
11D. MANUFACTURER NAME AND ADDRESS N/A				
12. AGE OF VICTIM [0][0][0]	13. SEX 0	14. DISPOSITION No injury [0]	15. INJURY DIAGNOSIS No injury [7][0]	
16. BODY PART (S) INVOLVED No injury [9][9]	17. RESPONDENT Second hand [3]	18. TYPE OF INVESTIGATION Other [3]	19. TIME SPENT (OPERATIONAL HOURS) Tr: 2 O: 8	
20. ATTACHMENT (S) Fire Dept Rpt. [2]	21. CASE SOURCE Fire Dept. [0][1]		22. SAMPLE COLLECTION NUMBER None	
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) May not disclose name X				
24. REVIEW DATE 7-6-2000	25. REVIEWED BY 8130		26. REGIONAL OFFICE DIRECTOR	
27. DISTRIBUTION O: EHDS CC: CRC, D. BEATTY				

SUMMARY:

A consumer received a free butane, disposable lighter after purchasing a carton of cigarettes at a local tobacco shop. The lighter was stored in a cigarette type pouch in the consumer's purse. When the consumer reached in her purse, she heard a loud "pop" and observed that the lighter had exploded. No injuries were sustained.

PRE-INCIDENT:

Information for this report was obtained from the Dearborn Heights, Michigan, Fire Department. A copy of the consumer's complaint and a photograph of an identical unit is attached as Exhibit "A". This identical lighter was purchased by the fire department but was disposed of before the Consumer Product Incident Report was completed.

In May of 2000, the consumer visited a local tobacco shop located in Dearborn Heights, Michigan. She purchased a carton of cigarettes and the employee informed her that all carton purchases included a free lighter. The consumer paid for the carton of cigarettes and received the free butane, disposable lighter. This lighter was stored in a cigarette type pouch in her purse.

INCIDENT:

On May 17, 2000, the consumer reached in her purse for her cigarettes and lighter, when she heard a loud "pop" observed that the lighter had exploded. No injuries were sustained.

POST-INCIDENT:

The consumer visited the Dearborn Heights, Michigan, Fire Department to inform them of the incident. While at the department, the information she provided was taken and documented on a citizen complaint form. The consumer told officials that the lighter was not exposed to heat.

In June of 2000, a fire official with the Dearborn Heights Fire Department contacted the U.S. Consumer Product Safety Commission where he was referred to a Detroit, Product Safety Investigator. A Consumer Product Incident Report was completed with all of the product information that was available. The fire official no longer had the lighter and/or parts in his possession. The remaining parts of the lighter were disposed of.

On 6/22/00, an inspection was conducted at the retailer as a follow-up to this investigation. This retailer no longer had the lighters in their possession.

PRODUCT IDENTIFICATION:

Product: Lighter

This lighter is described as a butane, disposable lighter without a child resistant mechanism. The lighter was given to the consumer free with her purchase of a carton of cigarettes. The lighter was blue in color with a silver, metal top. Located on the lighter stated, [REDACTED] 12/99. G. Made in China. UPC 7 55998 00032 6."

Manufacturer:

[REDACTED]
Address is unknown.

Dealer:

American Fine Tobacco
24729 West Warren
Dearborn Heights, MI 48127
Tel: (313) 359-3646

WARNING LABELS:

Located on the lighter states, in part, "Do not expose to heat."

APPLICABLE STANDARDS:

It is unknown if this lighter claimed conformance with relevant voluntary standards applicable to such products.

ATTACHMENTS:

Exhibit "A" - Dearborn Heights, Michigan Fire Department Citizen Complaint Form.

ID# 0006074670279
Exhibit ACITIZEN COMPLAINT
CITY OF DEARBORN HEIGHTS

Date: 5-17-00	
Time: 2:45 PM	

A COMPLAINT WAS RECEIVED:

From: [REDACTED]	
Address: 25039 [REDACTED] HTS.	
Telephone: [REDACTED]	
Between: (location)	

COMPLAINT (Describe in detail what occurred, how, by whom, etc.):

CITIZEN RECEIVED A FREE BUTANE LIGHTER FROM AMERICAN TOBACCO IN DBN. HTS. WOMAN HAD LIGHTER TUCKED INSIDE A PACK OF CIGARETTES INSIDE HER PURSE. WOMAN HEARD A LOUD "POP" AND FOUND LIGHTER HAD EXPLODED. SHE DENIES EXPOSING

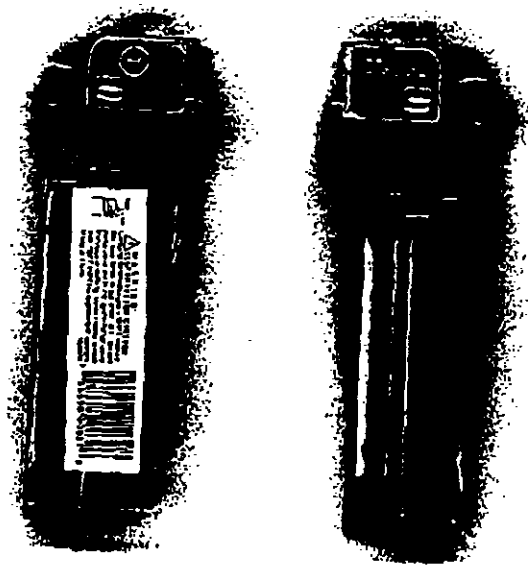
Received by: FIRE INSP. GURKA LIGHTER TO EXCESSIVE HEAT.

DISPOSITION (Action taken)
(To be filled in; signed by person handling complaint)


CALLED CPSC. - NO RECALL.
CONTACTED MICHAEL BOGUMILL @ CPSC.
REF. TO FIELD OPERATIONS - MICHELLE GRUNDY

Signature: J. Gurka, FIRE INSPECTOR

IDI 000607H00279
Exh. b. 7 A



(313) 320-3632
yusuf

1. TASK NUMBER 000731CCN0378		2. INVESTIGATOR'S ID 8009		EPIDEMIOLOGIC INVESTIGATION REPORT
3. OFFICE CODE 830	4. DATE OF ACCIDENT YR MO DAY 000716	5. DATE INITIATED YR MO DAY 000802		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT UPC A 73-year-old male was reading with a cigarette lighter and a pack of cigarettes lying on his chest. The lighter had not been used for 45-60 minutes. The lighter exploded with a 6 foot high flame. The hair on the male's arms and his ears were singed by the fire.				
7. LOCATION (Home, School, etc.) Home 1		8. CITY New Orleans		9. STATE LA
10A. FIRST PRODUCT Cigarette lighter 1604		10B. TRADE/BRAND NAME 		10C. MODEL NUMBER
10D. MANUFACTURER NAME AND ADDRESS Gladstrong, California				
11A. SECOND PRODUCT		11B. TRADE/BRAND NAME		11C. MODEL NUMBER
11D. MANUFACTURER NAME AND ADDRESS				
12. AGE OF VICTIM 073	13. SEX M 1	14. DISPOSITION 1	15. INJURY DIAGNOSIS burns 51	
16. BODY PART (S) INVOLVED lower arms 33	17. RESPONDENT victim 1	18. TYPE OF INVESTIGATION on-site 1	19. TIME SPENT (OPERATIONAL HOURS) 14.0	
20. ATTACHMENT(S) multiple 9	21. CASE SOURCE consumer complainant 07		22. SAMPLE COLLECTION NUMBER none	
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) Yes				
24. REVIEW DATE 8/22/00	25. REVIEWED BY 8940		26. REGIONAL OFFICE DIRECTOR	
27. DISTRIBUTION O: EHDS CC:			28. Document Number G0070198A	

DESCRIPTION OF RESPONDENTS

The victim was interviewed during the on-site visit. The victim gave the names of two stores where the product may have been purchased. These stores were visited and an employee interviewed of each store interviewed.

PRE-INCIDENT

The 73-year-old male victim and his wife in a very old section of town in a home that the family remodeled years ago. They have 6 grown sons and a large number of grandchildren. Their home is often a gathering place for the families. There are a number of smokers in the family, including the victim and his wife.

Sometime in mid or late June the victim purchased a new cigarette lighter. He used the lighter without incident for about 3 or 4 weeks.

INCIDENT

On 7-16-00 the victim and his wife were at home. The temperature inside the home was about 73 degrees Fahrenheit. The victim sat down in the living room, lit a cigarette with a cigarette lighter, and smoked it. He estimated the lighter had about 1/3 of the fuel remaining in it. The cigarette had been discarded and no flame source in the area for about 45 minutes to an hour. He was reading a book with the pack of cigarettes and the lighter lying on his chest. Suddenly there was an explosion. The victim said that he heard the explosion and saw a flash fire about 6 feet high but his first thought was that someone had entered the house and shot him. He quickly realized that the fire had singed the hair on his arms and his ears. He said he was wearing glasses and this probably protected his eyes.

POST-INCIDENT

The victim said the flash fire did not ignite the furniture. He and his wife examined his arms and ears. They did not consider the burns significant enough to require medical attention. The redness disappeared shortly and he has completely recovered.

After the incident the victim said his wife insisted that he report the incident. He called a friend at the New Orleans Fire Department. The friend recommended he report the incident to the local CPSC office. He reported the incident as recommended. He was asked to keep the parts of the cigarette lighter that had exploded until an investigation could be arranged. He agreed to do this.

This Investigator called the victim a short time later to arrange an on-site visit. The victim said that he had placed the parts of the lighter in an envelope for safe-keeping but that over the weekend they had a lot of company and he could not find the lighter pieces. He asked if I would wait a few days and call back so he could search further. I called again and he said they still had not found the lighter pieces. I asked him to describe the lighter. He said the lighter had been a single tank, yellow plastic base. He said the lighter had ~~been on~~ on the top part of the lighter. I asked him to confirm where he had purchased the lighter. He first said one location but when I

told him he had originally said another, he said the location he had previously reported was correct. I told him I would visit that store and see if they had a lighter such as he had described and if they did I would bring one of the lighters with me to his home.

On 8-16-00 I visited the area where he said the lighter had been purchased. I did not find a store by the name he had given but entered the only store in the area with advertisements for tobacco products. This was the Doral Super Saver Discount Store on the corner of Stumpf and Wright. Upon entering the store and asked the young saleslady what kind of cigarette lighters she had. She handed me a green-colored lighter and a white lighter. They were two different brands. The green-colored lighter had "XXXXXX" on it. I asked how many of these they had and she said only the one. I paid for the lighter and went outside to further examine it. I then re-entered the store and asked to speak to the Manager. The young saleslady said the Manager was not there but "Johnny" would talk to me. Both the saleslady and "Johnny" appeared to be Oriental. I explained to "Johnny" that I needed to know the source of the lighter. He said he did not know but would call someone who could tell me. He handed me the telephone and told me their buyer was on the other end. The buyer said that he did not know whom the lighters came from because he bought them from a salesman who stopped in the store. I asked the buyer for his name but was unable to understand his answer.

After leaving the store I proceeded to the victim's home. During the on-site visit the victim said the lighter I had purchased was the same as the one involved in the incident except for the color. I told him where I had purchased the lighter. He and his son said that the lighter was the same but the involved lighter had been purchased at the Cigarette Collection at the corner of Lapalco and Belle Chase. The victim said that there had not been any heat source near the lighter when it exploded and that the lighter had been in the house out of any sunlight. He said he was concerned that this could have happened while the lighter was unattended and caused a house fire, among other things. Later photographs were made of the lighter that I had purchased and the victim identified as identical, except for color, to the one that exploded. These are attached as Exhibit No. 1.

On 8-17-00 I went to the location that had been given during the on-site visit. There was no Cigarette Collection store found but there was a Cigarette Outlet at this location. I entered the store and without identifying myself asked to see their cigarette lighters. There were a number of disposable, all child-resistant, and non-disposable lighters present. I did not see any "XXXXXX" lighters so I asked the employee if they had any. He said he did not and to his knowledge had never had or seen any.

STANDARDS INFORMATION

Some cigarette lighters are subject to CPSC regulations that require child-resistant features. The lighter that the victim identified as identical to the involved lighter appeared to feature wheels that spun freely unless pressure was applied as a child-resistant mechanism.

PRODUCT IDENTIFICATION

000731CCN0378

The involved product was identified as a disposable cigarette lighter. The involved one was described as having a yellow plastic base with '██████' stamped into the metal top. The parts of this lighter that remained after the incident were lost before the incident. A lighter that was identified as similar, except for color, by the victim was found to have labeling stating in part "*** WARNING KEEP AWAY FROM CHILDREN Contains flammable gas under pressure. Be sure flame is out after use. Do not puncture or put in fire. Ignite lighter away from face or clothing. Never expose to heat over 120 F (49C) or to prolonged sunlight. Made in China 1/2000/G ***". The bar code is 7 55998 00032 6.

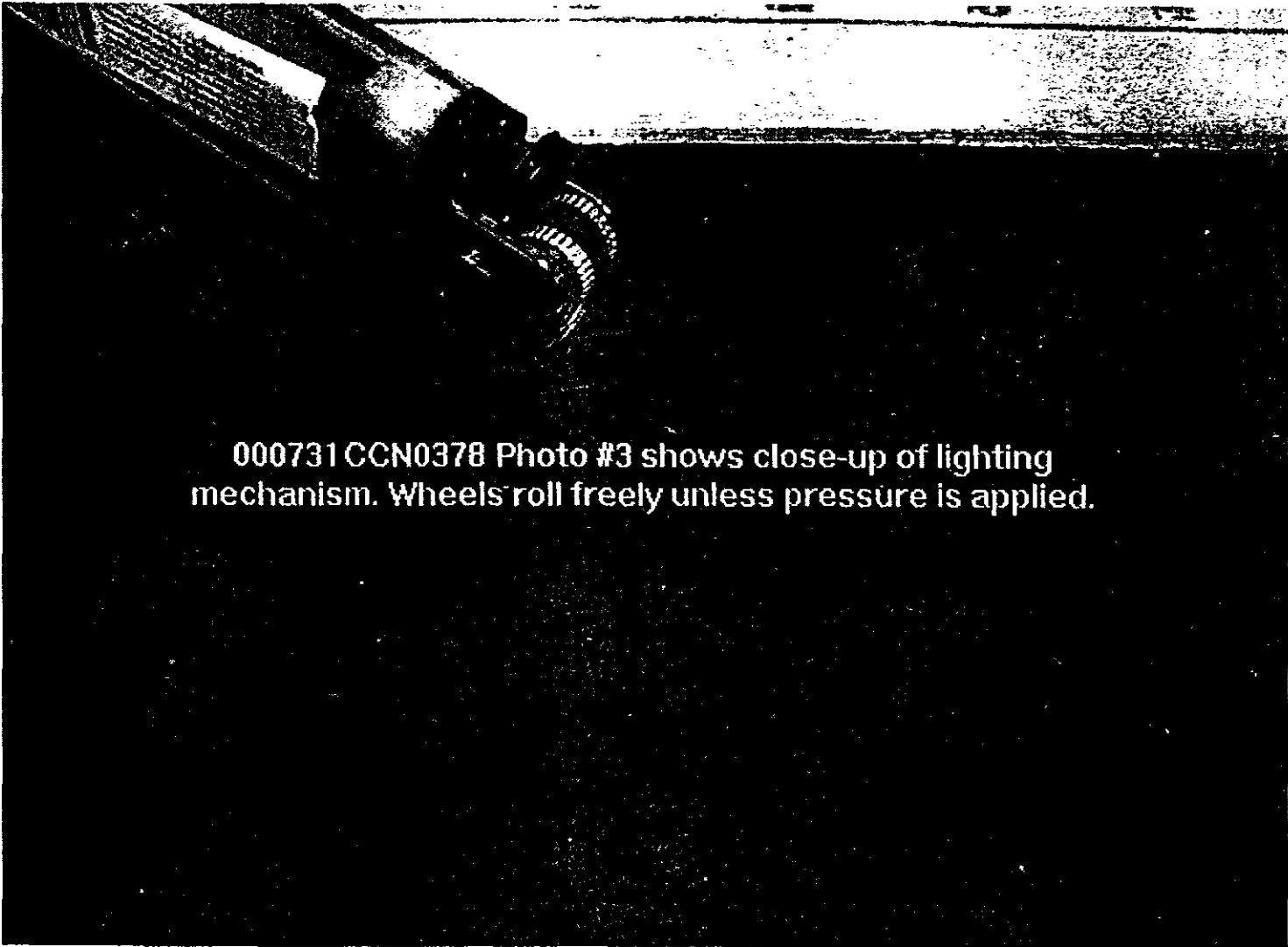
The above labeling was discussed with the appropriate Compliance Officer in Washington. He identified the manufacturer/importer as Gladstrong in California.

SAMPLES COLLECTED

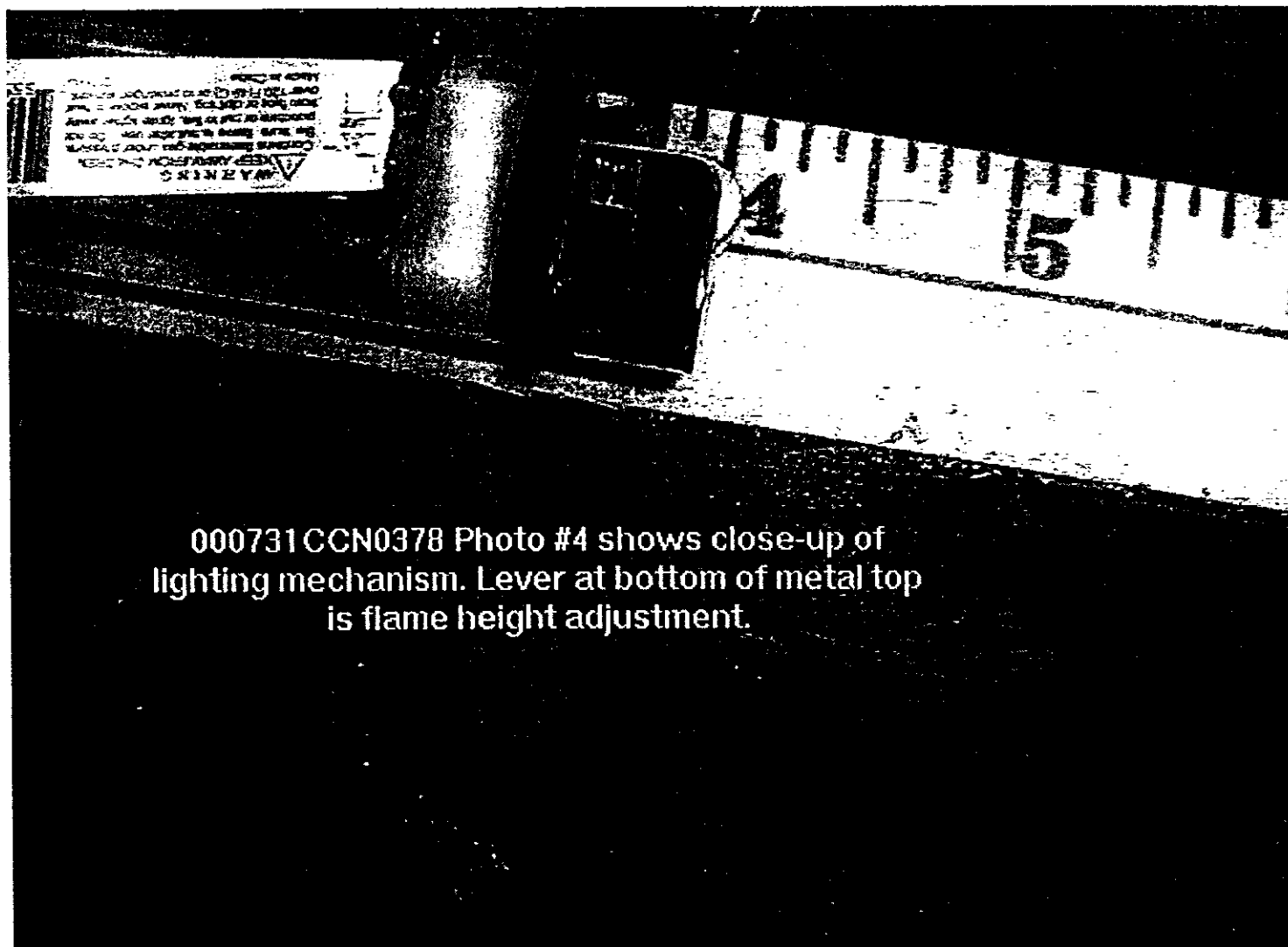
None

ATTACHMENTS

- 1) Photos of lighter identified as identical, except for color, to involved lighter (1-4)
- 2) Completed Authorization for Release of Name Form
- 3) Copy of CPIR (Doc. No. G0070198A)

A high-contrast, black and white photograph showing a close-up of a mechanical component. A small, dark, cylindrical wheel with a textured surface is visible, partially obscured by a larger, metallic-looking structure. The background is dark and grainy.

000731CCN0378 Photo #3 shows close-up of lighting
mechanism. Wheels roll freely unless pressure is applied.



000731CCN0378 Photo #4 shows close-up of lighting mechanism. Lever at bottom of metal top is flame height adjustment.

EXH. NO. 2

000731CCN0378

CONSUMER PRODUCT INCIDENT REPORT

1. Name of Respondent Granville Semmes		2. Telephone No. (Home) (Work) 504/522-6022	
3. Street Address 2342 Roussau St.		4. City State Zip Code New Orleans, LA 70130	
5a. E-Mail Address			
5. Describe accident situation or hazard, including date on injuries. (Use second page if necessary.) Complainant said disposable lighter was about 1/3 full of liquid fuel. He lit cigarette about 1 hr. prior to incident and placed lighter and pack of cigs on chest. No heat source near lighter. Without warning, the lighter exploded shooting approx. 6 foot flame out that singed hair on his arm. Inside room temp. est. at 73 degrees F. Reported to his friend who is 2nd in command at New Orleans Fire Dept. NOFD instructed him to contact CPSC. Complainant is anxious for on-site visit. Still has remains of lighter. Does not know if child resist			
6. Date of Incident(s) 7/16/00	7. If injury or near miss, obtain Age Sex and describe injury 73 M Singed hair on arm		8. If victim different from respondent, provide Name: same Relationship:
9. Description of Product Disposable cigarette lighter		10. Brand Name Unknown	
11. Manufacturer/Distributor Name, Address & Phone unknown. Only labeling states "HAPPY"		12. Model, Serial No.'s none	
		13. Dealer's Name, Address, & Phone Tobacco Outlet Stumpf Blvd. Gretna, LA	
14. Was the product damaged, repaired or modified? Yes No <input checked="" type="checkbox"/> If yes, before or after the incident? Describe:		15. Product purchased <input checked="" type="checkbox"/> New Used Date Age mos. ago	
		16. Does product have warning labels? Yes <input checked="" type="checkbox"/> No If so, Note:	
17. Have you contacted the manufacturer? Yes No <input checked="" type="checkbox"/> If not, Do you plan to contact them? Yes No <input checked="" type="checkbox"/> Other		18. Is the product still available? Yes <input checked="" type="checkbox"/> No If not, its disposition	
		19. May we use your name with this report? Yes <input checked="" type="checkbox"/> No	
FOR ADMINISTRATION USE			
20. Date Received 7/26/00	21. Received by (Name & Office) Sidney C. Englander, FOCR/NO		22. Document No. 6007 0198A
23. Follow-Up Action on-site IDI/sample 000731CCN0378		24. Product Code(s) 1604	
25. Distribution O:FOCR(Blasius, Englander,)		26. Endorser's Name & Title Sidney C. Englander, SPSI	

FIELD ACTIVITY COVERSHEET			
1. REGION/STATE FOCR		2. OPERATION (Check One) <input type="checkbox"/> Inspection <input type="checkbox"/> Establishment Visit <input type="checkbox"/> Telephone Contact <input checked="" type="checkbox"/> Investigation <input type="checkbox"/> Other	
		3. DATE 8-18-2000	
		4. NUMBER (For RO Use) 000731CCN0378	
5. ESTABLISHMENT Name : Gladstrong Address: City : State: CA Zip: Telephone:			
6. RELATED FIRM <input type="checkbox"/> Parent <input type="checkbox"/> Headquarters <input type="checkbox"/> Subsidiary <input type="checkbox"/> Other Name: City: State:			
7. PRODUCTS COVERED disposable cigarette lighter		8. OTHER CONSUMER PRODUCTS	
9. ESTABLISHMENT TYPE <input type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input type="checkbox"/> Wholesaler <input type="checkbox"/> Own Label Distributor <input type="checkbox"/> Retailer <input type="checkbox"/> Repackager <input type="checkbox"/> Other:		10. ANNUAL PRODUCTION Product Covered Units: Other Products Units:	
11. I.S. BUSINESS % Received % Shipped	12. SAMPLES COLLECTED none	13. MIS CODE 31133	14. HOURS Activity 14.0 Travel 4.0
15. REASON FOR ACTIVITY (Assignment Reference) CARM01 2000 in-depth investigation			
16. ANNOUNCED <input type="checkbox"/> Rationale for Announced Inspection UNANNOUNCED <input type="checkbox"/>			
17. EMPLOYEE'S NAME A.T. Sturdivant		TITLE PSI	SIGNATURE
18. <input checked="" type="checkbox"/> ENDORSEMENT <input type="checkbox"/> REMARKS <input type="checkbox"/> SUMMARY <input type="checkbox"/> OTHER (<input type="checkbox"/>) A 73-year-old male was reading with a cigarette lighter and a pack of cigarettes lying on his chest. The lighter had not been used for 45-60 minutes. The lighter exploded with a 6 foot high flame. The hair on the male's arms and his ears were singed by the fire.			
19. REVIEWER'S NAME S.C. Englander		TITLE SPSI	SIGNATURE
20. REVIEW DATE	21. DISTRIBUTION		

1. TASK NUMBER 990603CCC5482		2. INVESTIGATOR'S ID 8029		EPIDEMIOLOGIC INVESTIGATION REPORT
3. OFFICE CODE 830	4. DATE OF ACCIDENT YR MO DAY 990519	5. DATE INITIATED YR MO DAY 990611		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT UPC 0 806 92 04001 0 According to a complainant, she placed a brand new disposable cigarette lighter on top her dresser with the intention to use it once an identical lighter, purchased at the same time, had been exhausted. Thirteen(13) days later, she was in her livingroom when she heard a popping noise. Upon investigating, she discovered that the lighter had exploded, causing a small fire that did minor damage to the top of her dresser.				
7. LOCATION (Home, School, etc.) Home 1		8. CITY Kennesaw		9. STATE Georgia
10A. FIRST PRODUCT Cigarette Lighter 1604		10B. TRADE/BRAND NAME [REDACTED]		10C. MODEL NUMBER [REDACTED]
10D. MANUFACTURER NAME AND ADDRESS [REDACTED]				
11A. SECOND PRODUCT Dresser 0604		11B. TRADE/BRAND NAME		11C. MODEL NUMBER
11D. MANUFACTURER NAME AND ADDRESS Unknown				
12. AGE OF VICTIM 000	13. SEX no victim 0	14. DISPOSITION No Injury 0	15. INJURY DIAGNOSIS No Injury 70	
16. BODY PART (S) INVOLVED No Injury 99	17. RESPONDENT Complainant 1	18. TYPE OF INVESTIGATION On-site 1	19. TIME SPENT (OPERATIONAL HOURS) 9	
20. ATTACHMENT(S) Multiple 9	21. CASE SOURCE Complaint 07		22. SAMPLE COLLECTION NUMBER 99-830-4695	
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) Yes				
24. REVIEW DATE 99/07/18	25. REVIEWED BY 8007		26. REGIONAL OFFICE DIRECTOR	
27. DISTRIBUTION O: EHDS CC: FOCR(IDI & E/F); EXC(MG - HQ contact)				

An on-site was conducted in Kennesaw, Georgia where this incident occurred. Information in this report was provided by the complainant.

PRE- INCIDENT

The complainant stated that on 5/6/99 she purchased two(2) disposable cigarette lighters of the same brand and type from a local retailer. She stated she kept one for use on her person and placed the other one on top of a dresser in her bedroom near an unframed wallet size photograph of her grandson.

The complainant stated that on the afternoon of 5/19/99 she was in the living room when she heard a popping noise. She stated she went down the hall to her bedroom and saw flames on top of her dresser.

INCIDENT

The unused disposable cigarette lighter, which had been placed on her dresser back on 5/6/99, had apparently exploded into flames. The resulting blaze burned the wallet size photo of her grandson as well as a small area of the dresser's surface.(see attached Exhibit 4 photographs 1-6 for the burned area and the lighter that exploded). The incident occurred at the home of the complainant in Kennesaw, Georgia. No injuries were involved and no fire personnel were called to the scene.

POST INCIDENT

The complainant stated when she walked into the bedroom she saw that the lighter had exploded and the top had blown off. She stated the top of the lighter was on the floor near the dresser and the other portion of the lighter was still on the dresser. She indicated she put the burning picture in an ashtray and let it finish burning. She stated she then put cold water on the dresser to make sure the fire was out. She stated she contacted the store where she purchased the lighter and was told by an individual at the store that they had heard of this same type thing happening before.

PRODUCT INFORMATION

The complainant described the product as being a "non-child proof" disposable cigarette lighter, which she purchased new during May 1999 for \$0.79 from Tobacco Express, Acworth, Georgia. Examination of the remains of the lighter revealed that it is red in color with a paper label which states in part: "WARNING....Sunlight US PATENT...MADE IN CHINA...0 8069204001 0". Labeling was also found inscribed on both sides of the metal shield around the top of the lighter housing and read "[REDACTED]" and "[REDACTED]" respectively. (see Exhibit 4 photograph 6). During the on-site investigation the remains of the lighter were collected as a sample for evaluation by CPSC HQ staff(SCR #99-830-4695-see Exhibit 2). The second lighter purchased at the same time, had been used up and discarded prior to this on-site investigation.

From the UPC #, the importer of the lighter was identified as [REDACTED]

The complainant stated she purchased the dresser involved in the incident as part of a bedroom suite approximately 5/98 from Discount City, Cartersville, Georgia. She stated she paid approximately \$1,600.00 for the entire suite. She had no manufacturing information to provide for the dresser.

Attachments - Exhibit 1 - INCIDENT INVESTIGATIN REQUEST FORM
Exhibit 2 - Copy of SCR 99-830-4695
Exhibit 3 - AUTHORIZATION FOR RELEASE OF NAME FORM
Exhibit 4 - Photographs 1-6

Author: George W. Rutherford at CPSC-HQ2

Date: 5/24/99 9:05 AM

Normal

TO: Jack T. Kramer

Subject: Re: Internet Form Complaint - Doc # I9950109

----- Message Contents -----

Assign for telephone follow up. Refer to Mike's notes.

Forward Header

Subject: Re: Internet Form Complaint - Doc # I9950109

Author: Michael T. Bogumill at CPSC-HQ2

Date: 5/24/99 8:43 AM

We might be able to identify the importer from the UPC number, but then again many of the numbers on Chinese imports have turned out to be meaningless. I don't think we are likely to get much useful information from this complaint, but a telephone call to the complainant may be worthwhile. We should get the full UPC number and the name and address of the store where purchased.

← NOTE

Mike

Reply Separator

Subject: Internet Form Complaint - Doc # I9950109

Author: George W. Rutherford at CPSC-HQ2

Date: 5/20/99 11:45 AM

Want this followed up?

Forward Header

Subject: Internet Form Complaint - Doc # I9950109

Author: Murray S. Cohn at CPSC-HQ1

Date: 5/20/99 9:31 AM

5/20/99 4:52:45 AM

Name = Joyce Rodenhause

Address = 12 Bartley Woods Dr.

City = Kennesaw

State = GA

Zip = 30144

Email = bakinggran@aol.com

Telephone = 678-445-3499

Name of Victim = Elisabeth Burson

Victim's Address = 12 Bartley Woods Dr.

Victim's City = Kennesaw

Victim's State = GA

Victim's Zip = 30144

Victim's Telephone = 678-445-3499

EX-1

C

990603 CCC5482

INCIDENT INVESTIGATION REQUEST FORM

DOCUMENT NUMBER: I9950109A

DATE OF INCIDENT: 5/19/99

CATID: CAFM011999

FOLLOW-UP REQUESTED

HAZARD ANALYSIS () SECT 15 (X)

TYPE FOLLOW-UP

TELEPHONE (X) ON-SITE ()

HEADQUARTERS CONTACT: Mike Bogumill, Ext. 1368
Jack Kramer Ext. 1247

ASSIGNMENT MESSAGE: Conduct telephone IDI and determine the UPC number of the lighter.

We might be able to identify the importer from the UPC number, but then again many of the numbers on Chinese imports have turned out to be meaningless. I don't think we are likely to get much useful information from this complaint, but a telephone call to the complainant may be worthwhile. We should get the full UPC number and the name and address of the store where purchased.

Person(s) to Contact: SEE ATTACHED

Guidelines:

Task Number: 990603CCC* 5482

Date: 6/3/99

Assigned to: CH10

Requested by:

CPSC Form 324A (10/94)

31133

Ex. 1

990603CCC5482

U.S. Consumer Product Safety Commission SAMPLE COLLECTION REPORT			
1. Sample Flag		2. Date Collected 6/23/99	
4a. Product Name CIGARETTE LIGHTER		4b Model	
6. Complete for Import Samples Port of Entry: _____ Country of Origin: _____ Entry No. and Date: _____ Customs Contact: _____		3. Sample Type and Number: 99-830-4695 <input checked="" type="radio"/> Physical <input type="radio"/> Documentary	
		5. Assignment Number	
		7. MIS 31133	
		8. Hours Activity _____ Travel _____	
		9a Home RO FOCR	
10. Sample Cost \$0.00		11. Invoice Value of Lot \$0.79	
13. Manufacturer/Importer #		12. Size of Lot Units 1 unit	
		14. Shipper/Foreign Manufacturer	
		15. Dealer/Import Broker # ELIZABETH BURSON, CONSUMER 12 HARTLEY WOODS DR. KENNESAW, GEORGIA 30144	
16. Supporting documents attached: Invoice No. and Date: NOT AVAILABLE Date Shipped: _____ Shipping Record and Date: NOT AVAILABLE Affidavit Signer's name, title and date: NOT OBTAINED			
17. Product Identification: Product is a disposable cigarette lighter red in color with a label on the back which states in part: "WARNING....Sunlight US PATENT....MADE IN CHINA...0 8069204001 0". The lighting mechanism is a			
18. Reason for collection/analysis needed: <input type="radio"/> FHSA <input checked="" type="radio"/> CPSC <input type="radio"/> FFA <input type="radio"/> PPPA <input type="radio"/> RSA For evaluation as f/u to IDI 990603CCC5482 - Lighter Exploded			
19. Summary of Field Screening:			
20. Sample size/Method of Collection: Sample was collected from the home of the consumer identified in block 15 above. Sample was identified, placed in a plastic bag, sealed and then placed in a padded envelope for shipment to Mike Boquimill, CRC,			
21. Identification on sample: 99-830-4695 JLB 6/23/99		22. Identification on seal and date: 99-830-4695 Jimmie L. Barrett 7/9/99	
23a. Sample delivered to: USPO - LITHONIA, GA		23b Date 7/10/99	
25. Laboratory/Office: LSE _____ CCH _____ FPE _____ FTR _____ SIU _____ LSC _____ CHP _____ ELC _____ CLD _____ WHSE X Other _____		24. Report/Record Sent to: FOCR	
26. Remarks: Attachments - INCIDENT INVESTIGATION REQUEST FORM The consumer stated the lighter is not a child proof lighter.			
27. Related Samples:			
28a Collector's name/title: Jimmie L. Barrett Resident Investigator		28b Collector's signature/date: <i>Jimmie L. Barrett</i> 7/9/99	
29a Reviewer's name/title:		29b Reviewer's signature/date:	

EX 2

CONTINUATION OF NARRATIVES FOR SAMPLE #

99-830-4695

990603CCC5482

PRODUCT IDENTIFICATION

metal type material and it is detached from the lighter since this is the part that burned or exploded, according to the consumer.

METHOD OF COLLECTION

THRU: Sample Custodian. Sample kept under lock and key until sealed.

EX. 2

990603CCC5482

U. S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.



You are hereby authorized to disclose my name and address with the information collected on this case.



My identity is to remain confidential.

Elizabeth M. Burman
(Signature)

6-23-99
(Date)

EX. 3

990603CCC548Z
EXHIBIT 4

Photo 1 - View of dresser
and lighter
laying in area
of dresser where
it ignited.

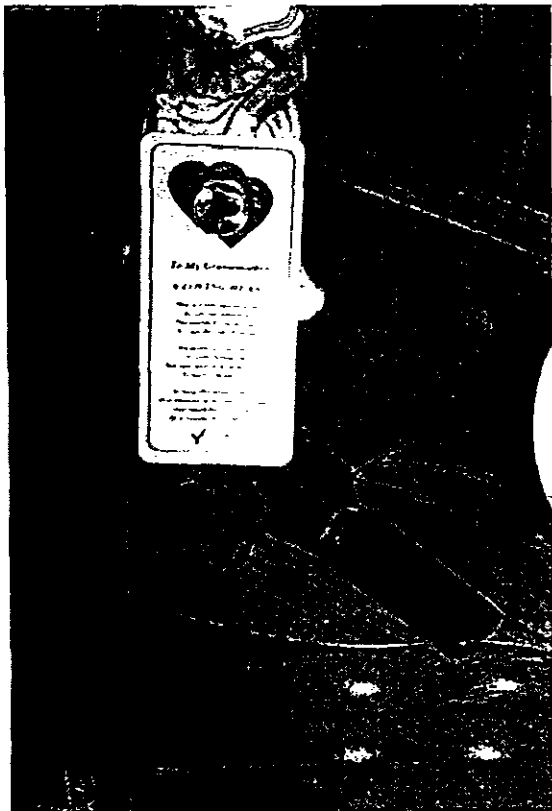


Photo 2 - Close view of lighter on
dresser showing burned area
of dresser.

990603CCC5482
EXHIBIT 4

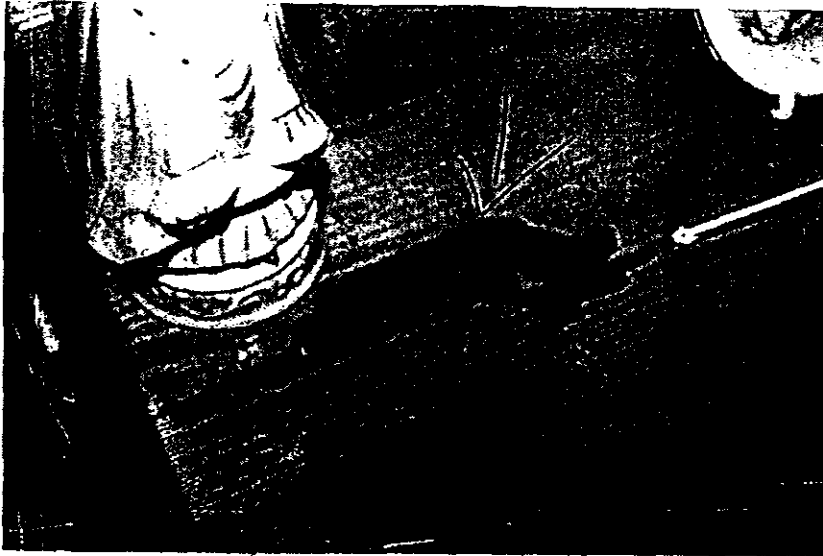


Photo 3 - view of burned area of dresser.

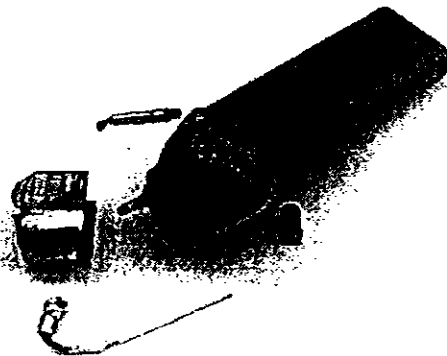


Photo 4 - View of lighter that reportedly exploded.

990603CCC5482
EXHIBIT 4

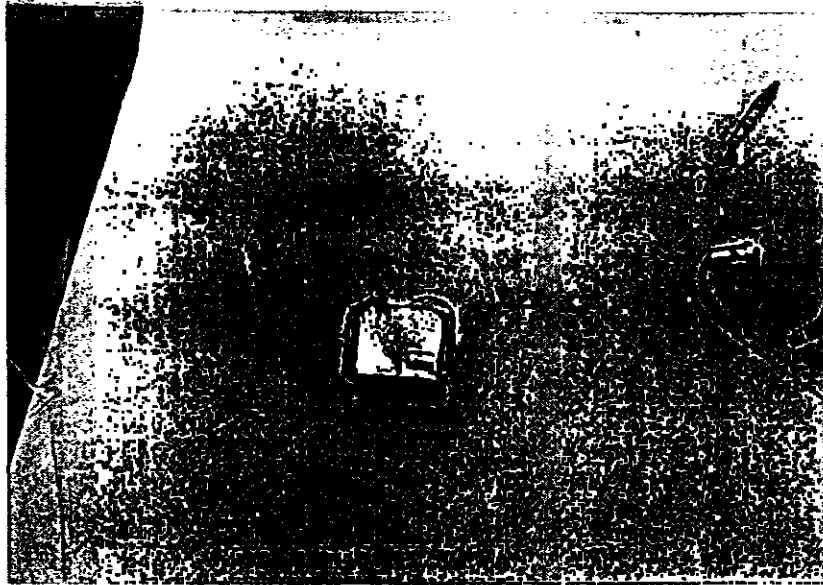


Photo 5 - View of striking mechanism removed from the lighter

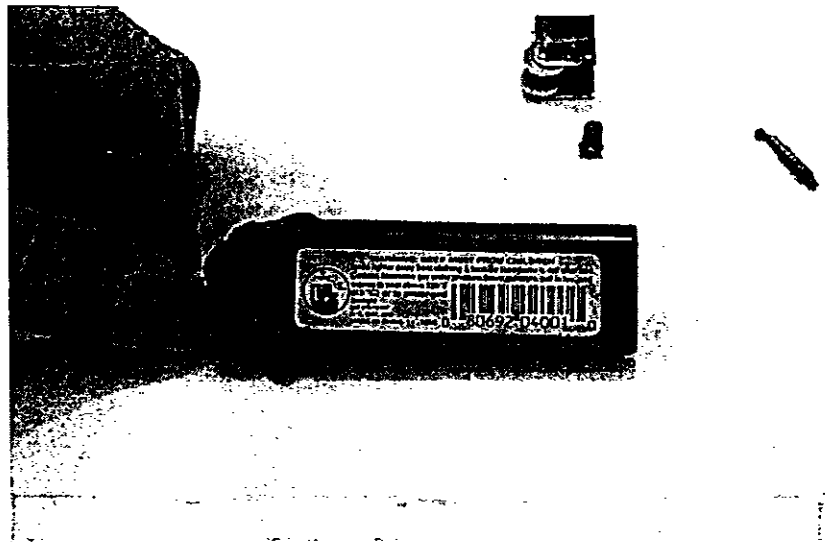


Photo 6 - View of WARNING labeling, UPC code, etc., on back of lighter.

1. TASK NUMBER 980609CCN0301		2. INVESTIGATOR'S ID 8938		EPIDEMIOLOGIC INVESTIGATION REPORT
3. OFFICE CODE 830	4. DATE OF ACCIDENT YR MO DAY 97 08 28	5. DATE INITIATED YR MO DAY 98 07 23		
6. SYNOPSIS OF ACCIDENT OR COMPLAINT A forty two year old woman was driving her car at approximately 40 mph, trying to light a cigarette with her lighter. The child-resistant lighter exploded in her hand. She incurred injuries to her hand, neck and spine as a result of the incident. The incident wasn't witnessed.				
7. LOCATION (Home, School, etc.) Street 40		8. CITY St. Charles		9. STATE MO
10A. FIRST PRODUCT CR Lighter 1604		10B. TRADE/BRAND NAME [REDACTED]		10C. MODEL NUMBER 440 [REDACTED]
10D. MANUFACTURER NAME AND ADDRESS [REDACTED]				
11A. SECOND PRODUCT N/A 0000		11B. TRADE/BRAND NAME		11C. MODEL NUMBER
11D. MANUFACTURER NAME AND ADDRESS				
12. AGE OF VICTIM 042	13. SEX Female - 2	14. DISPOSITION Treated & Transferred 2		15. INJURY DIAGNOSIS Thermal Burn - 51
16. BODY PART (S) INVOLVED Neck & Spine 89	17. RESPONDENT Complainant - 1	18. TYPE OF INVESTIGATION Other - 3		19. TIME SPENT (OPERATIONAL HOURS) Travel 1.5 8.0
20. ATTACHMENT(S) Multi - 9	21. CASE SOURCE Consumer Complaint - 07		22. SAMPLE COLLECTION NUMBER 98-830-3227	
23. PERMISSION TO DISCLOSE NAMES (NON NEISS CASES ONLY) Yes - Written				
24. REVIEW DATE 980825	25. REVIEWED BY 8311		26. REGIONAL OFFICE DIRECTOR	
27. DISTRIBUTION O=EHDS, cc=FPE, C. Perez/M. Bogumill, cc=FOCR IDI File, cc=FOWR/FYI				

CPSC FORM 182 (12/96) Approved for use through 5/31/2000 OMB
NO.30410029

980609CCN0301

SYNOPSIS

A forty two year old woman was driving her car at approximately 40 mph, trying to light a cigarette with her lighter. The child-resistant lighter exploded in her hand, causing her to throw it on the floor, while simultaneously causing her to stop abruptly. The victim incurred injuries to her right hand, neck and spine as a result of the incident. No one else was in the car when the incident occurred.

PRE-INCIDENT

The information presented in this in-depth investigation came from the victim, with her attorney present.

The forty two year old female stated that she was in excellent condition, and had no physical or mental abnormalities.

She has used cigarette lighters, mostly non-child resistant, over the years with no problems, as far as them exploding while trying to light them.

The complainant had purchased the lighter, one day earlier prior to the incident, took it home and placed it on the table in her living room, where it stayed until the next morning. No one else was in the house at the time. She stated that she did smoke a cigarette the day prior to the incident, but did not use the newly purchased child-resistant cigarette lighter to light it.

The temperature outside was approximately eighty degrees, in the month of August, and the sun was shining very bright. The woman took the lighter from her house and conveyed it to her car, placing it on the front passenger seat. She never had it sitting on the dashboard, or in the glove compartment of the car.

INCIDENT

The complainant stated that she was driving down the highway, going approximately forty miles per hour on her way to work at approximately 8:15 a.m.. She decided to smoke a cigarette so she retrieved one from her purse, placed it in her mouth, and tried to light it with a child-resistant lighter. She pushed in the safety button on the lighter with her right thumb, and tried to light the cigarette when all of a sudden she saw a big blue and white ball of fire emanating from it. The cigarette lighter had exploded in her right hand.

POST-INCIDENT

The victim stated that she slammed on her brakes and tossed the lighter on the passenger seat of her car. The lighter stayed on the seat for a short period of time, until it began to burn a hole on the seat portion of the front passenger seat, and the victim's purse, which was on the same seat. The victim grabbed the lighter again and threw it onto the front passenger carpet mat. The lighter burned a quarter size hole in the carpet mat. The victim incurred injuries to her neck, and shoulder, as a result of her sudden reaction to the exploded lighter, and slamming on her brakes to stop the car. No one else was in the car when the incident occurred.

The victim has been seeing a physician for her injuries and has received very painful injections to her neck and spine.

PRODUCT-INFORMATION

The product involved in this incident was a child-resistant cigarette lighter. The lighter was purchased new by the victim at Dirt Cheap Cigarettes & Beer, 3840 W. Clay, St. Charles, MO 63301, phone no. (314) 947-7415.

The manufacturer of the lighter is [REDACTED]. The victim was able to determine the name and address of the manufacturer, because she picked up a flyer in an assortment of lighters from the one she purchased at the retailer, (See Ex:5).

The importer of the lighter is [REDACTED] (see attachment no.4).

The distributor of the lighter is [REDACTED].

The child-resistant lighter is approximately 3" x 1" wide. The casing is of a light blue plastic construction with a black child-resistant push-button mechanism, and a chrome wrap-around top with the words "[REDACTED]" imbedded on both sides. Labeling on the lighter is as follows: **"WARNING: KEEP AWAY FROM CHILDREN***CONTAINS FLAMMABLE GAS UNDER PRESSURE-BE SURE FLAME IS OUT AFTER USE-IGNITE LIGHTER AWAY FROM FACE AND CLOTHING-NEVER PUNCTURE OR PUT IN FIRE-NEVER EXPOSE TO HEAT ABOVE 120 DEGREES F(49 DEGREES C)OR TO PROLONGED SUNLIGHT. DO NOT KEEP LIT FOR MORE THAN 30 SECONDS.***MADE IN CHINA****
*****To operate, push lever in.**** [REDACTED]

The victim's lighter was collected as sample 98-830-3227, along with 24 units of the same type of lighter obtained from the retailer, Dirt Cheap, and all units were sent in for analysis to LSE.

FIELD ACTIVITY COVERSHEET			
1. REGION/STATE FOCR/MO		2. OPERATION (Check One) (X) Inspection () Establishment Visit () Telephone Contact () Investigation () Other [r]	
		3. DATE 8/24/98	
		4. NUMBER (For RO Use)	
5. ESTABLISHMENT Name: [Dirt Cheap Store #4] Address: [3840 W. Clay St.] City: [St. Charles] State: [MO] Zip: [63301] Telephone: [314-947-7415]			
6. RELATED FIRM () Parent () Headquarters () Subsidiary () Other _____ Name: [N/A] City: [] State: []			
7. PRODUCTS COVERED [Cigarette Lighters] []		8. OTHER CONSUMER PRODUCTS [Cigarettes] []	
9. ESTABLISHMENT TYPE () Manufacturer () Importer () Wholesaler () Own Label Distributor (X) Retailer () Repackager () Other: []		10. ANNUAL PRODUCTION Product Covered [Unk.] Units: [Unk.] Other Products [Unk.] Units: [Unk.]	
11. I.S. BUSINESS % Received [Unk] % Shipped [Unk]	12. SAMPLES COLLECTED 98-830-3227	13. MIS CODE 32100	14. HOURS Activity [1.0] Travel [2.0]
15. REASON FOR ACTIVITY (Assignment Reference) F/U to IDI 980609CCN0301 where a consumer received injuries from a child-resistant cigarette lighter exploded in her hand, when she tried to light it.			
16. ANNOUNCED () Rationale for Announced Inspection UNANNOUNCED (X)			
17. EMPLOYEE'S NAME Joseph McDowell		TITLE Investigator	SIGNATURE
18. (X) ENDORSEMENT () REMARKS () SUMMARY () OTHER [] This retailer was inspected as follow-up to the above IDI. The store manager stated that she had received three to four similar verbal complaints of these lighters exploding. Twenty-four units of the Push-Lite lighters were obtained for sample 98-830-3227. F/U: As needed.			
19. REVIEWER'S NAME James A Miersch, SPSI			
20. REVIEW DATE 8-26-1998	21. DISTRIBUTION O=FOCR IDI		

JTITLE

amesJames

JSIGNATURE

JJJJJJJJJJ

Dirt Cheap Store #4
3840 W. Clay St.
St. Charles, MO 63301

SUMMARY OF FINDINGS

This limited inspection was conducted as a follow-up to IDI 980609CCN0301 involving a forty two year old female who incurred minor burn injuries to her right fingers and injuries to her neck and spine. The woman tried to light a child-resistant cigarette lighter while driving down the highway and the lighter exploded in her hand.

The purpose of this limited inspection was to collect a sample of twenty four units of the [REDACTED] identical child-resistant cigarette lighters as to the one involved in the incident, which I did, as sample 98-830-3227.

Credentials were presented and a Notice of Inspection issued to Terry Coleman, Store Manager of Dirt Cheap Store #4, 3840 W. Clay, St. Charles, MO 63301, phone no. 314-947-7415.

Ms. Coleman stated that she had received three to four complaints involving the [REDACTED] Child-Resistant Cigarette Lighters exploding while consumers used them. No records were kept of these complaints, she stated, just verbal acknowledgement of call-ins from complainants.

Exhibits:

1. Notice of Inspection.
2. Receipt For Samples.
3. Affidavit.

Joseph McDowell-PSI-STL-RP

Joseph McDowell-PSI-STL-RP

FIELD ACTIVITY COVERSHEET			
1. REGION/STATE FOCR/MO		2. OPERATION (Check One) <input checked="" type="checkbox"/> Inspection <input type="checkbox"/> Establishment Visit <input type="checkbox"/> Telephone Contact <input type="checkbox"/> Investigation <input type="checkbox"/> Other []	
		3. DATE 8/24/98	
		4. NUMBER (For RO Use)	
5. ESTABLISHMENT Name: [XXXXXXXXXX] Address: [XXXXXXXXXXXXXXXXXXXXXXXXXXXX] City: [Fenton] State: [MO] Zip: [63026] Telephone: [314-305-7149]			
6. RELATED FIRM () Parent () Headquarters () Subsidiary () Other _____ Name: [N/A] City: [] State: []			
7. PRODUCTS COVERED [Cigarette Lighters] []		8. OTHER CONSUMER PRODUCTS [Cigarettes] []	
9. ESTABLISHMENT TYPE <input type="checkbox"/> Manufacturer <input type="checkbox"/> Importer <input checked="" type="checkbox"/> Wholesaler <input type="checkbox"/> Own Label Distributor <input type="checkbox"/> Retailer <input type="checkbox"/> Repackager <input type="checkbox"/> Other: []		10. ANNUAL PRODUCTION Product Covered [Unk.] Units: [Unk.] Other Products [\$850,000.00.] Units: [Unk.]	
11. I.S. BUSINESS % Received [95%] % Shipped [15%]	12. SAMPLES COLLECTED NONE	13. MIS CODE 32100	14. HOURS Activity [1.0] Travel [2.0]
15. REASON FOR ACTIVITY (Assignment Reference) F/U to IDI 980609CCN0301 where a consumer received injuries from a child-resistant cigarette lighter exploded in her hand, when she tried to light it.			
16. ANNOUNCED () Rationale for Announced Inspection UNANNOUNCED (X)			
17. EMPLOYEE'S NAME Joseph McDowell		TITLE Investigator	SIGNATURE
18. (X) ENDORSEMENT () REMARKS (X) SUMMARY () OTHER [] This firm was inspected as follow-up to the above IDI. The President of the firm indicated that he does not handle the lighters anymore, because of the lighters exploding. He had also been told by the owner of Dirt Cheap that they were aware of several complaints of the lighters exploding. F/U: As needed.			
19. REVIEWER'S NAME 20. REVIEW DATE 8-25-1998		21. DISTRIBUTION O=FOCR IDI-s TITLE FFF	

[REDACTED]
[REDACTED]
[REDACTED]

SUMMARY OF FINDINGS

This limited inspection was a follow-up to IDI980609CCN0301 involving a forty two year old woman who incurred injuries to her right fingers, neck, & spine from a child-resistant cigarette lighter. The woman lit the lighter while traveling down the highway and it exploded in her hand, causing her to throw the lighter in the front passenger seat and stop abruptly.

Credentials were presented and a Notice of Inspection issued to [REDACTED] of [REDACTED], 1837 [REDACTED] in an attempt to collect a sample of the child-resistant lighters. [REDACTED] was the distributor of the lighter. [REDACTED] stated that his firm does not carry the [REDACTED] brand of child-resistant lighters anymore, because he had received three complaints of the same model lighters exploding when consumers tried to light them. None of those consumers were injured.

The president of Dirt Cheap, Inc., Fred Tutenburg, phone no. (314)869-7409, told [REDACTED] of the problem with the lighters, and that he (Fred) had received several complaints of the same [REDACTED] lighters exploding within the last three years. The firm ceased distribution of the lighters approximately two months ago.

Joseph McDowell,
PSI-STL-RP

EX:1
FIRM: Hub Incorporated Date: 8/24/98
PSI: Jan

U.S. CONSUMER PRODUCT SAFETY COMMISSION	
NOTICE OF INSPECTION	
1. DATE 8/24/98	3. FROM (Area Office and Address) 11220 W. Florissant, Box 317 Florissant, MO 63033
2. TIME A.M. 1:00 P.M.	
4. TO	
A. NAME AND TITLE OF INDIVIDUAL [REDACTED]	
B. FIRM NAME [REDACTED]	
C. NUMBER AND STREET ADDRESS [REDACTED]	
D. CITY, STATE AND ZIP CODE [REDACTED]	
Notice of Inspection is hereby given pursuant to:	
<ul style="list-style-type: none">• Flammable Fabrics Act (15 U.S.C. 1191 et seq.);• Federal Trade Commission Act (15 U.S.C. 41 et seq.);• Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)• Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)] and/or• Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)).	
Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.	
5. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND/OR COPIED.	
The purpose of this inspection is to obtain information; to review and obtain copies of items including but not limited to records, reports, books, documents; and labeling; and to obtain samples, in order to enforce or determine compliance with the Acts administered by the Consumer Product Safety Commission.	
Joseph M. Lawler	

EX: 1
FIRM: Dirt Cheap Store #4
DATE: 8/24/98
PSI: 94

U.S. CONSUMER PRODUCT SAFETY COMMISSION	
NOTICE OF INSPECTION	
1. DATE 8/24/98	3. FROM (Area Office and Address) 11220 W. Florissant Box 377 Florissant, MO 62033
2. TIME A.M. 7:20 P.M.	
A. NAME AND TITLE OF INDIVIDUAL Terry Coleman - Store Manager	
B. FIRM NAME Dirt Cheap Store #4	
4. TO	C. NUMBER AND STREET ADDRESS 3840 W. CLAY
	D. CITY, STATE AND ZIP CODE ST. CHARLES, MO 63301
<p>Notice of Inspection is hereby given pursuant to:</p> <ul style="list-style-type: none">• Flammable Fabrics Act (15 U.S.C. 1191 et seq.);• Federal Trade Commission Act (15 U.S.C. 41 et seq.);• Sections 16, 19 and 27 of the Consumer Product Safety Act (15 U.S.C. 2065, 2068 and 2076)• Section 704(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(a)) [Authority for inspections in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)] and/or• Section 11(b) of the Federal Hazardous Substances Act as Amended (15 U.S.C. 1270(b)). <p>Refer to the back of this form for a discussion of inspectional authority and for pertinent statutory language.</p>	
B. PURPOSES OF INSPECTION AND NATURE OF INFORMATION TO BE OBTAINED AND/OR COPIED. The purpose of this inspection is to obtain information; to review and obtain copies of items including but not limited to records, reports, books, documents; and labeling; and to obtain samples, in order to enforce or determine compliance with the Acts administered by the Consumer Product Safety Commission.	
7. SIGNATURE (Typed name of SPC Officer) Joseph Mc Sawell	

U.S. CONSUMER PRODUCT SAFETY COMMISSION		1. AREA OFFICE ADDRESS 11220 W. Florissant Box 317 Florissant, MO 63033	
2. NAME OF INDIVIDUAL Terry Coleman	3. TITLE OF INDIVIDUAL Store Manager	4. DATE 8/24/98	
5. FIRM NAME Dirt Cheap Store #4		6. SAMPLE NUMBER 98-83232	
7. NUMBER AND STREET 571 Charles 3840 W. Day	8. CITY AND STATE (Include Zip Code) St. Charles 193 MO 63074		
9. SAMPLES COLLECTED (Describe fully. List lot, serial, model numbers and other positive identification) <p>The following samples were collected by the Consumer Product Safety Commission pursuant to Section 27(f) of the Consumer Product Safety Act (15 U.S.C. 2074(f)) and/or Section 13(b) of the Federal Hazardous Substances Act (15 U.S.C. 1370(b)) and/or Sections 5(c) and (d) of the Flammable Fabrics Act (15 U.S.C. 1194(c) and (d)) and/or Section 704(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 374(c)) [Authority for sample collections made in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)], and receipt for said samples is hereby acknowledged. Sections cited are quoted on the reverse side of this form.</p> <p>Collected 24 [REDACTED] Child-Resistant Cigarette Lighters at a cost of \$25.12.</p> <p>EX: 2 FIRM: Dirt Cheap Store #4 Date: 8/24/98 PSI: Jm</p>			
10. SAMPLES		11. SAMPLES WERE	
a. AMOUNT RECEIVED FOR SAMPLE \$ 25.12		b. PURCHASED <input checked="" type="checkbox"/> BORROWED (To be returned) <input type="checkbox"/>	
c. SIGNATURE (Person from whom sample received) Terry Coleman		12. COLLECTOR a. NAME (Print or type) Joseph McDowell SIGNATURE Joseph McDowell	

CPSC FORM NO. 103

RECEIPT FOR SAMPLES

EX:3
FIRM: Dirt Cheap Store #4

Date: 8/24/78
PSI: Jha

AFFIDAVIT		SAMPLE NO 98-830-7227
STATE OF <u>Missouri</u>	COUNTY OF <u>ST. CHARLES</u>	
Before me, <u>Joseph McDowell</u> , a duly authorized employee of the Consumer Product Safety Commission, appropriately designated by the Chairman of said Commission pursuant to provisions of the Consumer Product Safety Act (sec. 27 (b)(2), 86 Stat. 1228; 15 U.S.C. 2076 (b)(2)), to administer or take oaths, affirmations, and affidavits, personally appeared <u>Terry Coleman</u> in the county and State aforesaid, who, being first duly sworn, deposes and says: <u>That I, Terry Coleman, store manager for Dirt Cheap Store #4, 3840 W. Clay, ST. CHARLES, MO 63301, was present when Joseph McDowell, investigator for C.P.S.C., came into my store to collect 24 units of the child-resistant cigarette lighters.</u>		
<u>I do not know the vendors from where these lighters came, but I believe it might have been [redacted]</u>		
<u>I do not have any records or invoices covering our purchase of these lighters, which are approximately 2 years old.</u>		
AFFIDANT'S SIGNATURE & TITLE <u>Terry Coleman Manager</u>		
FIRM (Name and address, include ZIP Code) <u>Dirt Cheap Store #4</u> <u>3840 W. CLAY</u> <u>ST. CHARLES, MO 63301</u>		
Subscribed and sworn to before me at <u>ST. CHARLES, MO</u>		
On <u>24th</u> day of <u>August</u> , 19 <u>78</u>		
<u>Joseph McDowell</u> (Employee's Signature)		
EMPLOYEE OF THE CONSUMER PRODUCT SAFETY COMMISSION ACTING IN ACCORDANCE WITH AUTHORITY GRANTED IN THE ABOVE STATED DECLARATION.		

IDI 980609CC N0301
Attachment #1

U.S. CONSUMER PRODUCT SAFETY COMMISSION

AUTHORIZATION FOR RELEASE OF NAME

Thank you for assisting us in collecting information on a potential product safety problem. The Consumer Product Safety Commission depends on concerned people to share product safety information with us. We maintain a record of this information, and use it to assist us in identifying and resolving product safety problems.

We routinely forward this information to manufacturers and private labelers to inform them of the involvement of their product in an accident situation. We also give the information to others requesting information about specific products. Manufacturers need the individual's name so that they can obtain additional information on the product or accident situation.

Would you please indicate on the bottom of this page whether you will allow us to disclose your name. If you request that your name remain confidential, we will of course, honor that request. After you have indicated your preference, please sign your name and date the document on the lines provided.



You are hereby authorized to disclose my name and address with the information collected on this case.



My identity is to remain confidential.

Deane K. Davidson
(Signature)

7-23-78
(Date)

IDI 980609CCN0301
Attachment #3

May 8, 1998

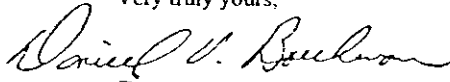
Re: Diane K. Davidson

Please be advised that Diane K. Davidson has retained me to represent her on her claim premised upon products defect resulting from her usage of a cigarette lighter which exploded on August 28, 1997.

According to my investigation, you were the U.S. distributor of that particular cigarette lighter. As such, COD Company is in the marketing chain of potentially liable parties for this incident.

At your earliest convenience, please provide me with a response to this attorney lien letter, either directly from your company or from your applicable insurance carrier.

Very truly yours,



DANIEL V. BOECKMAN

DVB/jp

IDI 980609CCNO301
Attachment # 4

May 8, 1998

Re: Diane K. Davidson

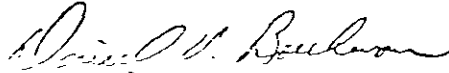
Dear Mr. Chang:

Please be advised that Diane K. Davidson has retained me to represent her on her claim premised upon products defect resulting from her usage of a cigarette lighter which exploded on August 28, 1997.

According to my investigation, you were the U.S. importer of that particular cigarette lighter. As such, COD Company is in the marketing chain of potentially liable parties for this incident.

At your earliest convenience, please provide me with a response to this attorney lien letter, either directly from your company or from your applicable insurance carrier.

Very truly yours,



DANIEL V. BOECKMAN

DVB/jp

IDI 980609CCN0301
Attachment #5

Certificate of Compliance

This Product complies with the U.S.
Consumer Product Safety Standard
for Cigarette Lighters (16CFR 1210)

Manufactured by:

[REDACTED]

25 MAR 1991

U.S. CONSUMER PRODUCT SAFETY COMMISSION		1. AREA OFFICE ADDRESS 11220 W. Florissant Box 317 Florissant, MO 63033	
2. NAME OF INDIVIDUAL DIANE K. DAVIDSON		3. TITLE OF INDIVIDUAL COMPLAINANT	
4. FIRM NAME for DANIEL V. BOECKHORN - ATTORNEY		5. DATE 7/23/78	
6. NUMBER AND STREET		7. CITY AND STATE (Include Zip Code)	
8. SAMPLES COLLECTED (Describe fully. List lot, serial, model numbers and other positive identification)			
<p>The following samples were collected by the Consumer Product Safety Commission pursuant to Section 22(f) of the Consumer Product Safety Act (15 U.S.C. 2076(f)) and/or Section 11(b) of the Federal Hazardous Substances Act (15 U.S.C. 1270(b)) and/or Sections 5(c) and (d) of the Flammable Fabrics Act (15 U.S.C. 1194(c) and (d)) and/or Section 704(c) of the Federal Food Drug and Cosmetic Act (21 U.S.C. 374(c)) [Authenticity for sample collections made in connection with the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471 et seq.)], and receipt for said samples is hereby acknowledged. Sections cited are quoted on the reverse side of this form.</p> <p>1- XXXXXXXXXX Child-resistant Cigarette Lighter with blue body</p> <p>IDI 980609CCN0301 Attachment #6</p>			
9. SAMPLE RECEIVED FOR ANALYSIS SIGNATURE (If none, date when sample received)		10. SAMPLE WHEN RECEIVED <input type="checkbox"/> PURCHASED <input type="checkbox"/> RETURNED (To be returned to)	
11. SIGNATURE OF OFFICIAL Joseph McDermott SIGNATURE		12. RECEIVED FOR SAMPLES	

TO ~~MC~~ — — — — — MIPTSO4 P.01

Author: Michael T. Bogumill et CRSC-MQ2
Date: 2/11/98 3:42 PM
Priority: Normal
To: Robert C. Okareki et CRSC-CPO
Subject: Diane Davidson

puta,

For our discussion. I talked to Lenny Schacter and told him that I was going to e-mail you the assignment message for following up on Mr. Davidson's complaint. So, you should not be getting a duplicate request to do an INI from the FBI folks.

The investigator who gets this assignment should contact Mr. Davidson directly to try to determine the name of the lighter manufacturer or importer, where she purchased the lighter, when the lighter was purchased, how long she had the lighter before the incident occurred, and all the particulars about her incident. Since this incident occurred in August, try to determine what time of day the incident happened, what the weather was like (was it a hot sunny day, or was it raining)? Was the lighter sitting on the dashboard or in the glove compartment of her car for any period of time before she tried to use it? In other words, what is the history of her handling of the lighter prior to the explosion? Also try to determine from her if the lighter was a child-resistant model or not. How was she able to determine the name and address of the manufacturer in China? According to my records, this manufacturer makes the "Lantern" child-resistant lighter model for ~~American and Canadian markets only.~~ If Mr. Davidson has any remaining lighters from the same manufacturer that were purchased at the time of the exploding lighter, please try to sample them. Identify the retailer and distributor that she contacted as well, and let's try to find out if any of the lighters are still available at either the retailer or distributor. If so, a sample of at least 1 dozen units should be collected and forwarded to LHM for testing their conformance to the ASTM voluntary standard for lighters (Section 15 Hazard Testing). If possible, 2 dozen units should be collected for testing, since some of it is destructive testing.

if there are any questions about this request, have the investigator give me a call.

Thanks.
Mike Bogumill, Team 1

JAM
CIGARETTE LIGHTER
CAT: CARM 07
MIS: 33 ~~22~~
170

IOI * 980213CEN0176